the leader of the free world for the past 5 years, the President wears many different hats and is many different things to many different people. But a Contra?

Mr. Speaker, the President enjoys great popularity in his country and is loved and revered by many, respected and admired by most. The Contras do not enjoy great popularity in their country, are loved and respected by very few and are revered by almost no one.

The President was elected twice by the people of his country to serve with a solid foundation of electoral and popular support. His legitimate claim to his office is questioned by no one. The Contras are the creation of the Central Intelligence Agency led by people whose democratic allegiance is highly suspect and whose legitimacy is questioned by every nation in the Western Hemisphere save those bastions of democracy and freedom, Paraguay and Chile.

The President certainly does not engage in the systematic brutalization of his fellow countrymen and abduct, torture, maim, disfigure, and finally murder innocent men, women, and children. The Contras terrorize the citizens of Nicaragua and kidnap families, slash off their limbs, gouge out their eyes, cut off their genitals, and finally slit their throats.

No, Mr. Speaker, the President of the United States is not a Contra. The people of this Nation would not continue to support him if he was.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 534) "Joint resolution making an urgent supplemental appropriation for the Department of Agriculture for the fiscal year ending September 30, 1986."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate numbered 1 with an amendment.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
March 17, 1986.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5, Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit sealed envelopes received from the White House at 4:45 p.m. on Monday, March 17, 1986 as follows:

(1) Said to contain the fourth annual report on Alaska's mineral resources; and

(2) Said to contain a report on actions taken with respect to the national emergency on South Africa.

With kind regards, I am,

Sincerely,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

FOURTH ANNUAL REPORT ON ALASKA'S MINERAL RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, without objection, referred to the Committee on Interior and Insular Affairs:

(For message, see proceedings of the Senate of today, March 18, 1986.)

REPORT ON ACTIONS TAKEN WITH RESPECT TO DECLARATION OF NATIONAL EMERGENCY IN SOUTH AFRICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-183)

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

(For message, see proceedings of the Senate of today, March 18, 1986.)

DEFICIT REDUCTION AMENDMENTS OF 1985

Mrs. MARTIN of Illinois. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mrs. MARTIN of Illinois moves to take from the Speaker's table the bill, H.R. 3128, with the Senate amendment to the House amendment to the Senate amendment to the House amendment to the Senate amendment thereto, and to concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment to the Senate amendment to the House amendment to the Senate amendment, as follows:

In lieu of the matter proposed to be inserted by the said amendment, insert:

In section 4016, insert "or seasonal suspension" after "adjustment in frequency"; and insert "adjustment or" after "service unless such".

In subparagraph (F)(ii) of paragraph (10) of section 204(b) of the Magnuson Fishery Conservation and Management Act, as proposed to be amended by section 6021, strike out "from such nations".

In title VI, strike out subtitle D and redesignate subtitles E, F, G, H, I, and J as subtitles D, E, F, G, H, and I, respectively.

In subsection (b)(2)(B) of section 315 of the Coastal Zone Management Act, as proposed to be amended by section 6044, strike out "environmental" and insert "environment".

In section 3A of the National Ocean Pollution Planning Act of 1978, as proposed to be added by section 6072(2)—

(1) amend subparagraph (B) of subsection (a)(2) to read as follows:

"'(B) be headed by a director who shall—

"'(i) be appointed by the Administrator,

"'(ii) serve as the Chair of the Board, and

"'(iii) be the spokesperson for the program;';

(2) insert a quotation mark and a period after the period at the end of subparagraph (D) of subsection (b)(2); and

(3) strike out paragraph (3) of subsection (b).

In section 6085—

(1) insert "and duties" after "functions" in the long title of the Act of August 6, 1947 cited in such section; and

(2) strike out "'or subdivision thereof'" and insert "'or subdivision thereof,'" in paragraph (2).

In title VIII, strike out the heading for subtitle A.

In section 8001, strike out "subtitle" and insert in lieu thereof "title".

In section 8(g) of the Outer Continental Shelf Lands Act, as proposed to be amended by section 8003, strike out paragraph (2) and insert in lieu thereof the following:

"(2) Notwithstanding any other provision of this Act, the Secretary shall deposit into a separate account in the Treasury of the United States all bonuses, rents, and royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profits taxes, and derived from any lease issued after September 18, 1978 of any Federal tract which lies wholly (or, in the case of Alaska, partially until seven years from the date of settlement of any boundary dispute that is the subject of an agreement under section 7 of this Act entered into prior to January 1, 1986 or until April 15, 1993 with respect to any other tract) within three nautical miles of the seaward boundary of any coastal State, or, (except as provided above for Alaska) in the case where a Federal tract lies partially within three nautical miles of the seaward boundary, a percentage of bonuses, rents, royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profits taxes, and derived from any lease issued after September 18, 1978 of such tract equal to the percentage of surface acreage of the tract that lies within such three nautical miles. Except as provided in paragraph (5) of this subsection, not later than the last business day of the month following the month in which those revenues are deposited in the Treasury, the Secretary shall transmit to such coastal State 27 percent of those revenues, together with all accrued interest thereon. The remaining balance of such revenues shall be transmitted simultaneously to the miscellaneous receipts account of the Treasury of the United States.".

In section 8(g)(5) of the Outer Continental Shelf Lands Act, as proposed to be amended by section 8003, strike out subparagraph (A) and insert in lieu thereof the following:

"(5)(A) When there is a boundary dispute between the United States and a State which is subject to an agreement under section 7 of this Act, the Secretary shall credit to the account established pursuant to such agree-

ment all bonuses, rents, and royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profits taxes, and derived from any lease issued after September 18, 1978 of any Federal tract which lies wholly or partially within three nautical miles of the seaward boundary asserted by the State, if that money has not otherwise been deposited in such account. Proceeds of such account shall be distributed as follows:

"Upon the settlement of any boundary dispute which is subject to a section 7 agreement between the United States and a State, the Secretary shall pay to such State all monies due such State from amounts deposited in the escrow account. If there is insufficient money deposited in the escrow account, the Secretary shall transmit, from any revenues derived from any lease of Federal lands under this Act, the remaining balance due such State in accordance with the formula set forth in section 8004(b)(1)(B) of the Outer Continental Shelf Lands Act Amendments of 1985.".

Strike out section 8004 and insert in lieu thereof the following:

"SEC. 8004. DISTRIBUTION OF SECTION 8(g) ACCOUNT.

"(a) Prior to April 15, 1986, the Secretary shall distribute to the designated coastal States the sum of—

"(1) the amounts due and payable to each State under paragraph (2) of section 8(g) of the Outer Continental Shelf Lands Act, as amended by this title, for the period between October 1, 1985, and the date of such distribution, and

"(2) the amounts due each such State under subsection (b)(1)(A) of this section for the period prior to October 1, 1985.

"(b)(1) As a fair and equitable disposition of all revenues (including interest thereon) derived from any lease of Federal lands wholly or partially within 3 miles of the seaward boundary of a coastal State prior to October 1, 1985, the Secretary shall distribute:

"(A) from the funds which were deposited in the separate account in the Treasury of the United States under section 8(g)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)(4)) which was in effect prior to the date of enactment of section 8003 of this title the following sums:

	($ million)
Louisiana	572
Texas	382
California	338
Alabama	66
Alaska	51
Mississippi	14
Florida	0.03

as well as 27 percent of the royalties, derived from any lease of Federal lands, which have been deposited through September 30, 1985, in the separate account described in this paragraph and interest thereon accrued through September 30, 1985 and shall transmit any remaining amounts to the miscellaneous receipts account of the Treasury of the United States; and

"(B) from revenues derived from any lease of Federal lands under the Outer Continental Shelf Lands Act, as amended, prior to April 15 of each of the fifteen fiscal years following the fiscal year in which this title is enacted, 3 percent of the following sums in each of the five fiscal years following the date of enactment of this Act, 7 percent of such sums in each of the next five fiscal years, and 10 percent of such sums in each of the following five fiscal years:

	($ million)
Louisiana	84
Texas	134
California	289
Alabama	7
Alaska	134
Mississippi	2.

"(2) The acceptance of any payment by a State under this section shall satisfy and release any and all claims of such State against the United States arising under, or related to, section 8(g) of the Outer Continental Shelf Lands Act, as it was in effect prior to the date of enactment of this Act and shall vest in such State the right to receive payments as set forth in this section.".

Strike out section 8006.

Strike out subtitles B and C of title VIII.

In subtitle A of title IX, strike out sections 9203, 9212, 9302, 9311, and 9312, and conform the table of contents of title IX accordingly.

In section 9101—

(1) in subsection (a), strike out "FEBRUARY 28" and "February 28" and insert in lieu thereof "APRIL 30" and "April 30", respectively;

(2) in subsections (b), (e)(1)(B), (e)(2)(B), (e)(2)(C), and (e)(3)(C), strike out "1 percent" and insert in lieu thereof "⅛ percent";

(3) in subsection (d), strike out "December 19, 1985" and insert in lieu thereof "March 15, 1986";

(4) in subsection (e)(1)(A), strike out "March" and insert in lieu thereof "May";

(5) in subsection (e)(2)(B), strike out "5 months" and "7 months" and insert in lieu thereof "7 months" and "5 months", respectively; and

(6) in subsection (e)(3)(B), strike out "7/12" and insert in lieu thereof "5/12".

In section 9102(c)—

(1) strike out "5 months" in paragraph (2)(B)(i) and insert in lieu thereof "7 months",

(2) strike out "7 months" in paragraph (2)(B)(ii) and insert in lieu thereof "5 months",

(3) strike out "March" in paragraph (3) and insert in lieu thereof "May", and

(4) add at the end thereof the following:

"(4) EXCEPTION.—

"(A) Notwithstanding any other provision of this subsection, the amendments made by this section shall not apply to payments with respect to the operating costs of inpatient hospital services (as defined in section 1886(a)(4) of the Social Security Act) of a subsection (d) hospital (as defined in section 1886(d)(1)(B) of such Act) located in the State of Oregon.

"(B) Notwithstanding any other provision of law, for a cost reporting period beginning during fiscal year 1986 of a subsection (d) hospital to which the amendments made by this section do not apply, for purposes of section 1886(d)(1)(A) of the Social Security Act—

"(i) during the first 7 months of the period the 'target percentage' is 50 percent and the 'DRG percentage' is 50 percent, and

"(ii) during the remaining 5 months of the period the 'target percentage' is 25 percent and the 'DRG percentage' is 75 percent.

"(C) Notwithstanding any other provision of law, for purposes of section 1886(d)(1)(D) of such Act, the applicable combined adjusted DRG prospective payment rate for a subsection (d) hospital to which the amendments made by this section do not apply is, for discharges occurring on or after October 1, 1985, and before May 1, 1986, a combined rate consisting of 25 percent of the national adjusted DRG prospective payment rate and 75 percent of the regional adjusted DRG prospective payment rate for such discharges.".

In section 9103, in subsections (a) and (b)(2), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9104, in subsections (a) and (c)(1), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9105, in subsections (a) and (e) strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9123(b), strike out "January" and insert in lieu thereof "April".

In section 9124(b)(1), strike out "April" and insert in lieu thereof "July".

In section 9128, strike out "will go" and insert in lieu thereof "went".

In section 9201(d), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 1886(h)(4)(E) of the Social Security Act, which is proposed to be added by section 9202(a)—

(1) strike out "before July 1, 1986" in clause (i)(I),

(2) strike out "the individual is unable to take that examination because" in clause (i)(II), and

(3) insert "or a previous examination of the Educational Commission for Foreign Medical Graduates" in clause (ii)(II) after "FMGEMS examination".

In section 9211(e), strike out "February" and "April" and insert in lieu thereof "May" and "July", respectively, each place each appears.

In section 9301—

(1) in subsection (a), strike out "JANUARY 31" and "January 31" and insert in lieu thereof "APRIL 30" and "April 30", respectively;

(2) in subsection (b), strike out "11-month", "February", "January 31", "4-month", and "January 1986" and insert in lieu thereof "8-month", "May", "April 30", "7-month", and "April 1986", respectively, each place each appears; and

(3) in subsection (c)(5), strike out "July" and insert in lieu thereof "October".

In section 9303—

(1) in subsection (b)(2), strike out "April", "1987" and "December 31, 1986" and insert in lieu thereof "July", "1988", and "December 31, 1987", respectively, and

(2) in subsection (b)(5)(A), strike out "April" and insert in lieu thereof "July".

In section 9304(b)—

(1) strike out "11-month" and "February" and insert in lieu thereof "8-month" and "May", respectively;

(2) in paragraph (1) in the matter before subparagraph (A), insert "at any time" after "in the case of any physician who"; and

(3) in paragraph (1)(B), strike out "is not a participating physician" and all that follows through "September 30, 1985, or" and insert in lieu thereof "was not a participating physician (as defined in section 1842(h)(1) of the Social Security Act) on September 30, 1985, and who is not such a physician".

In section 9307(c)—

(1) in paragraph (1), strike out "subsection (l)" and insert in lieu thereof "subsection (k)";

(2) in paragraph (2), strike out "after subsection (k), added by section 146(a) of this title," and insert in lieu thereof "at the end"; and

(3) in the subsection added by paragraph (2), strike out "(l)(1)" and insert in lieu thereof "(k)(1)".

In subtitle B of title IX, strike out sections 9504, 9513, and 9521, and conform the table of contents of title IX accordingly.

In section 9501(d)(1), strike out "April" and insert in lieu thereof "July".

In section 9505(b)(1)—

(1) strike out "sections 9501 and 9504" and insert in lieu thereof "section 9501", and

(2) strike out "(VI)" and "(VII)" and insert in lieu thereof "(V)" and "(VI)", respectively.

In section 9506(a), in proposed subsection (k)(2) of section 1902 of the Social Security Act, insert "(other than by will)" after "established".

In section 9511(b), strike out "January" and insert in lieu thereof "April".

In section 9517(c), amend paragraph (2) to read as follows:

"(2)(A) Except as provided in subparagraph (B), the amendments made by paragraph (1) shall apply to expenditures incurred for health insuring organizations which first become operational on or after January 1, 1986.

"(B) In the case of a health insuring organization—

"(i) which first becomes operational on or after January 1, 1986, but

"(ii) for which the Secretary of Health and Human Services has waived, under section 1915(b) of the Social Security Act and before such date, certain requirements of section 1902 of such Act,

clauses (ii) and (iv) of section 1903(m)(2)(A) of such Act shall not apply during the period for which such waiver is effective.".

In section 9522, insert "(or submitted during 1986 by)" after "granted to".

In section 9523—

(1) in subsection (a), strike out "CONTINUED" and "continue" and insert in lieu thereof "RENEWED" and "renew", respectively, and

(2) in subsection (b)—

(A) strike out "continued" and insert in lieu thereof "renewed",

(B) strike out "the date of the enactment of this Act" and insert in lieu thereof "December 31, 1985".

In section 9526, at the end of subsection (a) of proposed section 1920 of the Social Security Act, add the following:

"(F) Section 310(b)(1) of Public Law 96-272 (relating to continuing medicaid eligibility for certain recipients of Veterans' Administration pensions).".

In subtitle C of title XII, strike out section 12302.

In section 12301—

(1) in subsection (b)—

(A) strike out "or 1903(u)" in paragraph (1), and

(B) strike out "titles IV-A and XIX" and insert in lieu thereof "title IV-A" each place it appears; and

(2) after subsection (d), strike out "and 1982.".

In section 12304(a)(3), immediately before the semicolon at the end of the proposed new subparagraph (C), insert the following: ", but the State shall not be subject to any financial penalty in the administration or enforcement of this subparagraph as a result of any monitoring, quality control, or auditing requirements".

Part 1 of subtitle A of title XIII of the bill is amended to read as follows:

"PART 1—TRADE ADJUSTMENT ASSISTANCE

"SEC. 13001. SHORT TITLE.

"This part may be cited as the 'Trade Adjustment Assistance Reform and Extension Act of 1986'.

"SEC. 13002. ELIGIBILITY OF WORKERS AND FIRMS FOR TRADE ADJUSTMENT ASSISTANCE.

"(a) WORKERS.—Sections 221(a) and 222 of the Trade Act of 1974 (19 U.S.C. 2271(a); 2272) are each amended by inserting '(including workers in any agricultural firm or subdivision of an agricultural firm)' after 'group of workers'.

"(b) FIRMS.—

"(1) Subsections (a) and (c) of section 251 of the Trade Act of 1974 (19 U.S.C. 2341) are each amended by inserting '(including any agricultural firm)' after 'a firm'.

"(2) Paragraph (2) of section 251(c) of the Trade Act of 1974 (19 U.S.C. 2341(c)(2)) is amended to read as follows:

"'(2) that—

"'(A) sales or production, or both, of the firm have decreased absolutely, or

"'(B) sales or production, or both, of an article that accounted for not less than 25 percent of the total production or sales of the firm during the 12-month period preceding the most recent 12-month period for which data are available have decreased absolutely, and'.

"SEC. 13003. CASH ASSISTANCE FOR WORKERS.

"(a) PARTICIPATION IN JOB SEARCH PROGRAM REQUIRED.—

"(1) Subsection (a) of section 231 of the Trade Act of 1974 (19 U.S.C. 2291(a)) is amended by adding at the end thereof the following new paragraph:

"'(5) Such worker, unless the Secretary has determined that no acceptable job search program is reasonably available—

"'(A) is enrolled in a job search program approved by the Secretary under section 237(c), or

"'(B) has, after the date on which the worker became totally separated, or partially separated, from the adversely affected employment, completed a job search program approved by the Secretary under section 237(c).'.

"(2) Section 231 of the Trade Act of 1974 (19 U.S.C. 2291) is amended by adding at the end thereof the following new subsection:

"'(c) If the Secretary determines that—

"'(1) the adversely affected worker—

"'(A) has failed to begin participation in the job search program the enrollment in which meets the requirement of subsection (a)(5), or

"'(B) has ceased to participate in such job search program before completing such job search program, and

"'(2) there is no justifiable cause for such failure or cessation,

no trade readjustment allowance may be paid to the adversely affected worker under this part on or after the date of such determination until the adversely affected worker begins or resumes participation in a job search program approved under section 237(c).'.

"(3) Subsection (a) of section 239 of the Trade Act of 1974 (19 U.S.C. 2311(a)) is amended—

"(A) by striking out 'training,' in clause (2) and inserting in lieu thereof 'training and job search programs,'; and

"(B) by striking out 'and (3)' and inserting in lieu thereof '(3) will make determinations and approvals regarding job search programs under sections 231(c) and 237(c), and (4)'.

"(b) QUALIFYING WEEKS OF EMPLOYMENT.—The last sentence of section 231(a)(2) of the Trade Act of 1974 (19 U.S.C. 2291(a)(2)) is amended by striking out all that follows after subparagraph (C) and inserting in lieu thereof 'shall be treated as a week of employment at wages of $30 or more, but not more than 7 weeks, in case of weeks described in paragraph (A) or (C), or both, may be treated as weeks of employment under this sentence.'.

"(c) WEEKLY AMOUNTS OF READJUSTMENT ALLOWANCES.—Section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended—

"(1) by striking out 'under any Federal law,' in subsection (c) and inserting in lieu thereof 'under any Federal law other than this Act',

"(2) by striking out 'under section 236(c)' in subsection (c) and inserting in lieu thereof 'under section 231(c) or 236(c)', and

"(3) by striking out 'If the training allowance' in subsection (c) and inserting in lieu thereof 'If such training allowance'.

"(d) LIMITATIONS.—

"(1) Paragraph (2) of section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)(2)) is amended by striking out '52-week period' and inserting in lieu thereof '104-week period'.

"(2) Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end thereof the following new subsection:

"'(e) No trade readjustment allowance shall be paid to a worker under this part for any week during which the worker is receiving on-the-job training.'.

"SEC. 13004. JOB TRAINING FOR WORKERS.

"(a) IN GENERAL.—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended—

"(1) by striking out 'for a worker' in subsection (a)(1)(A) and inserting in lieu thereof 'for an adversely affected worker',

"(2) by striking out 'may approve' in the first sentence of subsection (a)(1) and inserting in lieu thereof 'shall (to the extent appropriated funds are available) approve',

"(3) by striking out 'under paragraph (1)' in subsection (a)(2) and inserting in lieu thereof 'under subsection (a)',

"(4) by striking out 'this subsection' in subsection (a)(3) and inserting in lieu thereof 'this section',

"(5) by redesignating paragraphs (2) and (3) of subsection (a) as subsections (e) and (f), respectively,

"(6) by inserting at the end of subsection (a) the following new paragraphs:

"'(2) For purposes of applying paragraph (1)(C), a reasonable expectation of employment does not require that employment opportunities for a worker be available, or offered, immediately upon the completion of training approved under this paragraph (1).

"'(3)(A) If the costs of training an adversely affected worker are paid by the Secretary under paragraph (1), no other payment for such costs may be made under any other provision of Federal law.

"'(B) No payment may be made under paragraph (1) of the costs of training an adversely affected worker if such costs—

"'(i) have already been paid under any other provision of Federal law, or

"'(ii) are reimbursable under any other provision of Federal law and a portion of such costs have already been paid under such other provision of Federal law.

"'(C) The provisions of this paragraph shall not apply to, or take into account, any funds provided under any other provision of Federal law which are used for any purpose other than the direct payment of the costs incurred in training a particular adversely affected worker, even if such use has the effect of indirectly paying or reducing any portion of the costs involved in training the adversely affected worker.

"'(4) The training programs that may be approved under paragraph (1) include, but are not limited to—

"'(A) on-the-job training,

"'(B) any training program provided by a State pursuant to section 303 of the Job Training Partnership Act,

"'(C) any training program approved by a private industry council established under section 102 of such Act, and

"'(D) any other training program approved by the Secretary.', and

"(7) by inserting after subsection (c) the following new subsection:

"'(d) Notwithstanding any provision of subsection (a)(1), the Secretary may pay the costs of on-the-job training of an adversely affected worker under subsection (a)(1) only if—

"'(1) no currently employed worker is displaced by such adversely affected worker (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits),

"'(2) such training does not impair existing contracts for services or collective bargaining agreements,

"'(3) in the case of training which would be inconsistent with the terms of a collective bargaining agreement, the written concurrence of the labor organization concerned has been obtained,

"'(4) no other individual is on layoff from the same, or any substantially equivalent, job for which such adversely affected worker is being trained,

"'(5) the employer has not terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created by hiring such adversely affected worker,

"'(6) the job for which such adversely affected worker is being trained is not being created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals,

"'(7) such training is not for the same occupation from which the worker was separated and with respect to which such worker's group was certified pursuant to section 222,

"'(8) the employer certifies to the Secretary that the employer will continue to employ such worker for at least 26 weeks after completion of such training if the worker desires to continue such employment and the employer does not have due cause to terminate such employment,

"'(9) the employer has not received payment under subsection (a)(1) with respect to any other on-the-job training provided by such employer which failed to meet the requirements of paragraphs (1), (2), (3), (4), (5), and (6), and

"'(10) the employer has not taken, at any time, any action which violated the terms of any certification described in paragraph (8) made by such employer with respect to any other on-the-job training provided by such employer for which the Secretary has made a payment under subsection (a)(1).'.

"(b) ON-THE-JOB TRAINING DEFINED.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end thereof the following new paragraph:

"'(16) The term "on-the-job training" means training provided by an employer to an individual who is employed by the employer.'.

"(c) AGREEMENTS WITH THE STATES.—Section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

"(1) by amending subsection (a)(2) by inserting 'but in accordance with subsection (f),' after 'where appropriate,'; and

"(2) by adding at the end thereof the following new subsections:

"'(e) Agreements entered into under this section may be made with one or more State or local agencies including—

"'(1) the employment service agency of such State,

"'(2) any State agency carrying out title III of the Job Training Partnership Act, or

"'(3) any other State or local agency administering job training or related programs.

"'(f) Each cooperating State agency shall, in carrying out subsection (a)(2)—

"'(1) advise each adversely affected worker to apply for training under section 236(a) at the time the worker makes application for trade readjustment allowances (but failure of the worker to do so may not be treated as cause for denial of those allowances), and

"'(2) within 60 days after application for training is made by the worker, interview the adversely affected worker regarding suitable training opportunities available to the worker under section 236 and review such opportunities with the worker.'.

"SEC. 13005. JOB SEARCH ALLOWANCES.

"(a) IN GENERAL.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended by adding at the end thereof the following new subsection:

"'(c) The Secretary shall reimburse any adversely affected worker for necessary expenses incurred by such worker in participating in a job search program approved by the Secretary.'.

"(b) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319), as amended by section 13004(b) of this Act, is further amended by adding at the end thereof the following new paragraph:

"'(17)(A) The term "job search program" means a job search workshop or job finding club.

"'(B) The term "job search workshop" means a short (1 to 3 days) seminar designed to provide participants with knowledge that will enable the participants to find jobs. Subjects are not limited to, but should include, labor market information, resume writing, interviewing techniques, and techniques for finding job openings.

"'(C) The term "job finding club" means a job search workshop which includes a period (1 to 2 weeks) of structured, supervised activity in which participants attempt to obtain jobs.'.

"SEC. 13006. ADJUSTMENT ASSISTANCE FOR FIRMS.

"(a) TECHNICAL ASSISTANCE.—

"(1) Paragraph (1) of section 252(b) of the Trade Act of 1974 (19 U.S.C. 2342(b)(1)) is amended to read as follows:

"'(1) Adjustment assistance under this chapter consists of technical assistance. The Secretary shall approve a firm's application for adjustment assistance only if the Secretary determines that the firm's adjustment proposal—

"'(A) is reasonably calculated to materially contribute to the economic adjustment of the firm,

"'(B) gives adequate consideration to the interests of the workers of such firm, and

"'(C) demonstrates that the firm will make all reasonable efforts to use its own resources for economic development.'.

"(2) Section 252 of the Trade Act of 1974 (19 U.S.C. 2342) is amended by striking out subsection (c) and redesignating subsection (d) as subsection (c).

"(3) Paragraph (2) of section 253(b) of the Trade Act of 1974 (19 U.S.C. 2343(b)(2)) is amended by striking out 'such cost' and inserting in lieu thereof 'such cost for assistance described in paragraph (2) or (3) of subsection (a)'.

"(b) NO NEW LOANS OR GUARANTEES.—Section 254 of the Trade Act of 1974 (19 U.S.C. 2344) is amended by adding at the end thereof the following new subsection:

"'(d) Notwithstanding any other provision of this chapter, no direct loans or guarantees of loans may be made under this chapter after the date of enactment of the Trade Adjustment Assistance Reform and Extension Act of 1986.'.

"SEC. 13007. EXTENSION AND TERMINATION OF TRADE ADJUSTMENT ASSISTANCE.

"(a) IN GENERAL.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271, preceding note) is amended—

"(1) by striking out the first sentence thereof and inserting in lieu thereof "(a)",

"(2) by striking out the section heading and inserting in lieu thereof 'SEC. 285. TERMINATION.', and

"(3) by adding at the end thereof the following new subsection:

"'(b) No assistance, allowances, or other payments may be provided under chapter 2, and no technical assistance may be provided under chapter 3, after September 30, 1991.'.

"(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 is amended by striking out the item relating to section 285 and inserting in lieu thereof the following:

"'Sec. 285. Termination.'.

"SEC. 13008. AUTHORIZATION OF APPROPRIATIONS.

"(a) WORKERS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by striking out '1982 through 1985' and inserting in lieu thereof '1986, 1987, 1988, 1989, 1990, and 1991'.

"(b) FIRMS.—Subsection (b) of section 256 of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

"(1) by inserting 'for fiscal years 1986, 1987, 1988, 1989, 1990, and 1991' after 'to the Secretary',

"(2) by striking out 'from time to time', and

"(3) by striking out the last sentence thereof.

"SEC. 13009. EFFECTIVE DATES; APPLICATION OF GRAMM-RUDMAN.

"(a) IN GENERAL.—Except as provided in subsections (b) and (c), the amendments made by this part shall take effect on the date of the enactment of this Act.

"(b) JOB SEARCH PROGRAM REQUIREMENTS.—The amendments made by section 13003(a) apply with respect to workers covered by petitions filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act.

"(c) EXTENSION AND AUTHORIZATION.—Chapters 2 and 3 of title II of the Trade Act of 1974 (19 U.S.C. 2271, et seq.) shall be applied as if the amendments made by sections 13007 and 13008 had taken effect on December 18, 1985.

"(d) APPLICATION OF GRAMM-RUDMAN.—Trade readjustment allowances payable under part I of chapter 2 of title II of the Trade Act of 1974 for the period from March 1, 1986, and until October 1, 1986, shall be reduced by a percentage equal to the non-defense sequester percentage applied in the Sequestration Report (submitted under the Balanced Budget and Emergency Deficit Control Act of 1985 and dated January 21, 1986) of the Comptroller General of the United States for fiscal year 1986.".

In section 13031(e)(2)—

(1) strike out "section 236(c)" and insert in lieu thereof "section 236", and

(2) strike out "58b(c)" and insert in lieu thereof "58b".

Strike out subtitle B of title XIII and redesignate the following subtitles accordingly.

In section 13201—

(1) strike out "Subsection (c)" and insert in lieu thereof "(a) Subsection (c)", and

(2) add at the end thereof the following new subsection:

"(b) For purposes of all Federal and State laws, the amendment made by subsection (a) shall be treated as having taken effect on March 14, 1986.".

Strike out subsection (d) of section 13202 and insert in lieu thereof the following:

"(c) EFFECTIVE DATE.—

"(1) IN GENERAL.—The amendments made by this section shall apply to smokeless tobacco removed after June 30, 1986.

"(2) TRANSITIONAL RULE.—Any person who—

"(A) on the date of the enactment of this Act, is engaged in business as a manufacturer of smokeless tobacco, and

"(B) before July 1, 1986, submits an application under subchapter B of chapter 52 of the Internal Revenue Code of 1954 to engage in such business,

may, notwithstanding such subchapter B, continue to engage in such business pending final action on such application. Pending such final action, all provisions of chapter 52 of such Code shall apply to such applicant in the same manner and to the same extent as if such applicant were a holder of a permit to manufacture smokeless tobacco under such chapter 52.".

Strike out subsection (c) of section 13206 and insert the following:

"(c) EXISTING REDUCTION IN RATES FOR PERIOD AFTER TEMPORARY INCREASE RETAINED.—So much of subsection (e) of section 4121 (relating to temporary increase in amount of tax) as precedes paragraph (2) is amended to read as follows:

"'(e) REDUCTION IN AMOUNT OF TAX.—

"'(1) IN GENERAL.—Effective with respect to sales after the temporary increase termination date, subsection (b) shall be applied—

"'(A) by substituting "$.50" for "$1.10",

"'(B) by substituting "$.25" for "$.55", and

"'(C) by substituting "2 percent" for "4.4 percent".'"

In section 13203(d), strike out "December 31, 1985" and insert in lieu thereof "March 31, 1986".

In section 13205(a)(1), strike out "of the Internal Revenue Code of 1954".

In subsection (a)(2) of section 13205, strike out "of such Code" each place it appears.

In section 13205, strike out "December 31, 1985" and "January 1, 1986" and insert in lieu thereof "March 31, 1986" and "April 1, 1986", respectively, each place either appears.

At the end of paragraph (2) of section 1303(d) of the Internal Revenue Code of 1954 (as proposed to be added by section 13206(a)), insert the following: "In applying subparagraph (B), amounts which constitute earned income (within the meaning of section 911(d)(2)) and are community income under community property laws applicable to such income shall be taken into account as if such amounts did not constitute community income.".

In section 13207(c), strike out "September 12, 1985" and insert in lieu thereof "September 12, 1984".

In subparagraph (A) of section 531(g)(1) of the Tax Reform Act of 1984 (as proposed to be added by section 13207(d)), strike out "performed" and insert in lieu thereof "performs".

In paragraph (2) of section 531(g) of the Tax Reform Act of 1984 (as proposed to be added by section 13207(d)), strike out subparagraph (B) and insert in lieu thereof the following:

"(B) if—

"(i) such organization is described in section 501(c)(6) of the Internal Revenue Code of 1954 and the membership of such organization is limited to entities engaged in the transportation by air of individuals or property for compensation or hire, or

"(ii) such organization is a corporation all the stock of which is owned entirely by entities referred to in clause (i), and".

In clause (vi) of section 57(a)(9)(E) of the Internal Revenue Code of 1954 (as proposed to be added by section 13208(a)), strike out "The" and insert in lieu thereof "For purposes of this subparagraph, the".

In clause (vii) of such section 57(a)(9)(E), strike out "The" and insert in lieu thereof "For purposes of this subparagraph, the".

In section 14001(a)(2), strike out "amounts".

In section 14001(a)(4), strike out "March 1, 1986" and insert in lieu thereof "June 2, 1986".

In section 15202, strike out subsection (b) and redesignate subsection (c) as subsection (b).

In section 19001(a), strike out "and Compensation Rate Amendments of 1985" and insert in lieu thereof "Amendments of 1986".

In section 19011—

(1) strike out "April 1, 1986" in the last sentence of subsection (e)(2) and insert in lieu thereof "July 1, 1986"; and

(2) in subsection (f)—

(A) strike out "April 1, 1986" each place it appears and insert in lieu thereof "July 1, 1986";

(B) strike out "March 31, 1986" both places it appears in paragraph (2)(A) and insert in lieu thereof "June 30, 1986"; and

(C) strike out "April and May 1986" in paragraph (2)(B) and insert in lieu thereof "July and August 1986".

Strike out subtitle B of title XIX (and redesignate subtitle C as subtitle B).

In section 19031(b)(2), strike out "April 1, 1986" and insert in lieu thereof "July 1, 1986".

In section 19032—

(1) strike out "February 1, 1986" in subsection (a) and insert in lieu thereof "May 1, 1986"; and

(2) strike out "November 1, 1986, and November 1, 1987," in subsection (j) and insert in lieu thereof "February 1, 1987, and February 1, 1988,".

Notwithstanding any other provision of this Act, the amounts due and payable to the State of Louisiana prior to October 1, 1986, under subtitle A of title VIII (Outer Continental Shelf and Related Programs) of this Act shall remain in their separate accounts in the Treasury of the United States and continue to accrue interest until October 1, 1986, except that the $572,000,000 set forth in section 8004(b)(1)(A) shall only accrue interest from April 15, 1986, to October 1, 1986, at which time the Secretary shall immediately distribute such sums with accrued interest to the State of Louisiana.

Mrs. MARTIN of Illinois (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Illinois [Mrs. MARTIN] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. GRAY] will be recognized for 30 mintues.

The Chair recognizes the gentlewomen from Illinois [Mrs. MARTIN].

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. GRADISON].

(Mr. GRADISON asked and was given permission to revise and extend his remarks.)

Mr. GRADISON. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, as 1986 unfolds, the veil is being stripped away from congressional consideration of the budget process. And it is becoming increasingly clear that the talk about deficit reduction is mostly talk—and not much else. With the lower court finding that the Gramm-Rudman-Hollings automatic trigger is unconstitutional, that landmark attempt to reduce the deficit looks more and more like a toothless tiger. Last week, the House was offered a chance to vote on the President's budget, but was not even permitted to consider alternatives. Bashing the President's budget has become a popular parlor game; but it doesn't bring us one step closer to deficit reduction.

Finally, today, Mr. Speaker, comes the last straw. Almost halfway through the current fiscal year, Congress still has not acted on the Consolidated Omnibus Budget Reconciliation Act of 1985, the legislation needed to implement spending cuts for the current year. The Congress broke up in disagreement over this bill in December and here we are in mid-March still trying to find a satisfactory compromise..

The latest version sent to us by the other body deserves our support. Listen carefully and you will find that the principal complaint about the Senate version is not that it saves too little, but that it saves too much. And no wonder. The House version would put on the books costly new programs which would not likely become law if they had to stand on their own.

The gentlelady from Illinois has offered a preferential motion to vote on the Senate-passed bill in its entirety before there is an opportunity to take up amendments. There will be no clearer vote on spending cuts this year. I urge my colleagues to support this essential deficit-reducing proposal.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the motion to concur.

When the House acted on March 6 to amend the reconciliation package, it did so in good faith and in recognition of the need to compromise on items in dispute in order to resolve the deficit reduction agreements of last year.

I must oppose the motion to concur because I do not believe the other body's action was taken in good faith. In the face of the clearly articulated position of the House, the other body, in its amendment, deleted crucial modifications of the Outer Continental Shelf Lands Act, Medicare, AFDC, and the Federal Employee Health Benefits Program. Beyond that, the other body went so far as to include in its amendment changes in the Medicare Program which will benefit a single constituency in a single State.

Reconciliation was intended to be a vehicle for deficit reduction. The House has acted to fulfill that pledge in good faith. Our foremost duty as legislators is to promote policies which will benefit all of America. We must not feel pressured to accept what we may feel is bad public policy, simply because a package "would be acceptable to the administration—a major concession" or "the President will sign this package."

The House has worked its will. We have negotiated. We have compromised.

We must not agree to concur in the Senate's action.

□ 1345

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. LOTT], the Republican whip.

(Mr. LOTT asked and was given permission to revise and extend his remarks.)

Mr. LOTT. Mr. Speaker, I would like to read the preferential motion. It was dispensed with, but I think it tells the story.

The gentlewoman from Illinois "moves to take from the Speaker's table the bill, H.R. 3128, with the Senate amendment to the House amendment to the Senate amendment to the House amendment to the Senate amendment thereto, and to concur in the Senate amendment."

How thin are we going to slice this baloney? It is time that we act on reconciliation.

Let me read to the Members some remarks that were most effectively delivered last week on the reconciliation bill.

Mr. Speaker, this is the acid test. This is the time. The time for talk really has passed. Now it is the time for action. This is an opportunity to save $18 billion—

Maybe it is only $13 billion, but maybe $18 billion—

"off the deficits of the next 3 years.

The question we face is really a fairly simple one. Do we make good on the pledge that we made in the budget resolution that passed last year so overwhelmingly or will we renege on that pledge?

This is the only opportunity we will have to make good on that pledge and this is a fine vehicle on which to do it. It represents that best compromise that was possible.

When we passed the budget, we actually signed a promissory note to the effect that we were going to make certain savings on further budgets.

Now, here is our opportunity to sign the check that pays off that promissory note. Do we sign the check and redeem the note or do we say, "Well, no, let's put that on a credit card" and let's go over to another day.

Now is the time, now is the opportunity.

Those are parts of the remarks of the gentleman from Texas, the distinguished majority leader. There were other remarks here, very good; I agreed with them then, and I think they are applicable now.

Now is the time for us to fulfill that promissory note.

But let us talk about the procedure we are going through here. The gentlewoman has moved that we concur with the Senate amendments. I presume later on there will be a motion to table that motion to concur. And after that, if the motion to table should pass, somebody on that side will move that we disagree with the Senate. And after that there will be, perhaps by our side, a motion to go to conference.

Where does this end? And we are not now arguing over dollars and cents. In many instances, a lot of it is policy decisions.

If you are from a tobacco-producing State, are you not worried about the fact that there has been a tobacco agreement and yet we continue to string out on and on and on this effort to get an agreement on reconciliation? It is costing us at least $7 million a day. But there has been an agreement on tobacco. Whether you are a Democrat or a Republican, whether you are from a tobacco-producing State, or even if you are not, you ought to be interested in that tobacco agreement.

Mr. STARK. Mr. Speaker, will the gentleman yield?

Mr. LOTT. On the subject of tobacco?

Mr. STARK. Yes.

Mr. LOTT. I will be glad to yield to the gentleman from California.

Mr. STARK. I think it is important. Chairman ROSTENKOWSKI has a primary in Illinois today and he has asked me to indicate to his colleagues that it is his intention to introduce a concurrent resolution making the tobacco tax provision retroactive should the Senate accept the bill we have returned to them, and I think it is important that that be noted at this point in the debate.

Mr. LOTT. I thank the gentleman for that information. I think it may not be quite so simple, because we have caused some problems for States, and I am not sure we can just go back and reverse the situation.

Obviously, when we do agree or if we never can agree, we need to do something more on tobacco, but I am emphasizing to my colleagues here that this issue is still up in the air and we breached the deadline last Friday.

Now, also, on the question of 8(g), the Outer Continental Shelf revenues, there has been a very difficult, very closely worked out compromise to resolve that issue, one that many States like Texas, Louisiana, California, Mississippi, we would like to get that thing on through. But how long are we going to keep pitching it back and forth. And what dark hole are we going to send this to? Are we just going to say "Hey, we disagree" again and just kind of leave it up in the air? Is there to be no conference? What happens?

We have a bird in the hand here. Are we serious about reconciliation or not? Do we want the $13 billion savings, or $18 billion if you go by the CBO numbers, but at least maybe $13 billion in savings, do we want that or not?

Are you aware that the Senate version is $900 million better in that it reduces the deficit $900 billion more than the House version? I think that we are saying in the House, after all this batting of the ball back and forth, we want it our way or we will not have it at all.

Please, my colleagues, let us be serious in a bipartisan way and let us pass this reconciliation bill, or we may still be here punting this ball back and forth when we get ready for the next reconciliation package.

Mr. GRAY of Pennsylvania. Will the gentleman yield?

Mr. LOTT. I yield to the gentleman from Pennsylvania.

The SPEAKER pro tempore. The time of the gentleman from Mississippi [Mr. LOTT] has expired.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 30 seconds to the gentleman from Mississippi [Mr. LOTT].

Mr. LOTT. I yield to the gentleman from Pennsylvania.

Mr. GRAY of Pennsylvania. Mr. Speaker, I would just point out to the gentleman that I thought he said $900 billion. I am sure he meant million.

Mr. LOTT. $900 million.

Mr. GRAY of Pennsylvania. The second thing I would like to ask the gentleman is: Is the gentleman prepared, as a Representative of the great State of Mississippi, to vote for a reconciliation package which is going to penalize the entire health system of Mississippi in order to provide for exemption for one State in the entire Union? When you vote for this bill you will be voting to penalize all the health care systems in Mississippi so that one State that has been exempted by the Senate will be able to benefit. I do not think the gentleman wants to do that.

The SPEAKER pro tempore. The time of the gentleman from Mississippi [Mr. LOTT] has again expired.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 2 additional minutes to the gentleman from Mississippi [Mr. LOTT].

Mr. LOTT. I thank the gentlewoman for yielding.

Mr. Speaker, I do not think any of us know what impact it might have on our States. I do not like some of the changes that have been made. I am for the Buy America provision. I do not particularly like what we have done in the hospital area. But there are a lot of other areas that I am sure the gentleman would take a different position. But how long does this go on back and forth? I think it is time we act. I think it is more important for the people of this country and for the economy of this country that we take action to reduce the deficit, stop losing $7 million a day on the tobacco question, stop prolonging acting to begin to reduce the deficit. Let us take the majority leader's words: Now is the time. Let us draw the line and say it is not perfect but we have got to stop this idiocy at some point and act to pass this reconciliation and send it to the President.

Mr. GRAY of Pennsylvania. Mr. Speaker, will the gentleman yield further?

Mr. LOTT. I yield to the gentleman from Pennsylvania.

Mr. GRAY of Pennsylvania. Mr. Speaker, I would just simply say to the gentleman that it is my understanding

that the $900 million is not the figure. It is more like $200 million to $300 million.

Mr. LOTT. Only $200 million or $300 million? That is not chickenfeed where I come from.

Mr. GRAY of Pennsylvania. I would point out there are policy changes, though, that are here, such as the one that I mentioned, that penalizes the gentleman's own State, and it is because of those policy issues that I think are fairly significant that are inequitable that provide exemptions for one State as opposed to the other 49 States. I do not think that is good policy. Although this Chair wants to have deficit reduction, and I have been pushing and fighting for reconciliation, I do not think that we ought to pay that kind of price. I do not think Mississippi ought to and I do not think Pennsylvania, Illinois, Kentucky, Georgia, Alabama, Texas, or anybody else——

Mr. LOTT. For a policy issue we are going to walk away from $13 billion to $18 billion?

Mr. GRAY of Pennsylvania. Well, I would point out that the White House has been doing that now ever since December.

Mr. LOTT. The White House is ready to sign this package. Let us pass it and send it to the President and move on to other deficit reduction efforts.

Mr. GRAY of Pennsylvania. I say the package that we ought to be supporting is a bipartisan package that comes out of the House and the Senate and not the White House.

Mr. LOTT. This is a bipartisan package.

Mr. GRAY of Pennsylvania. The gentleman wants to accept the White House package that exempts that one State.

Mr. LOTT. Mr. Speaker, I urge my colleagues to vote against the motion to table.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. STARK].

Mr. STARK. I thank the distinguished gentleman for yielding.

Mr. Speaker, I would like to step away, if we can, for a moment, between the differences in the Senate bill and what we sent to them and remind my colleagues on the other side of the aisle that we have an institutional position here. I think we may be setting a very bad precedent. As the gentleman from Mississippi sat—and so did I—in the conference meetings for weeks, we had a signed agreement and a conference agreement with the Senate.

What happened in the other body after we agreed in conference, particularly in the areas of Medicare and AFDC, in which we had come to an agreement—these are areas they are not changing, and they are changing without the benefit of a conference. Whichever position you may have taken on the other side of the aisle, you compromised with me and my colleagues on this side of the aisle, and the Senate on both parties compromised with us, and we had a signed conference agreement. My question is, Do we want to change that through this kind of a new procedure where, at the 11th hour, OMB steps in to revise what we have worked so carefully to craft?

Mr. LOTT. Mr. Speaker, will the gentleman yield?

Mr. STARK. I yield to the gentleman from Mississippi.

Mr. LOTT. Let me make sure I understand what has been done in this DRG area.

The House language would have delayed 1 year the implementation of the Medicare prospective payment system hospitals; is that correct?

Mr. STARK. That is correct.

Mr. LOTT. And the Senate then took that delay out; is that right?

Mr. STARK. The Senate made changes only with respect to Oregon. And they also made a change in the AFDC statements procedures. But what I am suggesting to you, whether they changed it for—you are in for a dime, you are in for a dollar. The point is that OMB was not a party to the conference. They did not sign the conference report.

Mr. LOTT. As I understand it, they deleted the 1-year implementation; is that correct or not?

Mr. STARK. No.

Mr. LOTT. They just exempted Oregon?

Mr. STARK. That is all.

Mr. LOTT. As a matter of fact, I would like for the record to reflect that in my own area, my hospitals have complied with the law and were opposed to the 1-year delay.

Mr. STARK. As were the hospitals in California.

The gentleman from Mississippi and this gentleman from California have no quarrel.

Mr. LOTT. So we were in agreement, but the House did not take the position we supported.

Mr. STARK. We were in complete agreement and we were in agreement on the AFDC procedure and the other procedures. These are now being changed in the Senate unilaterally.

Mr. LOTT. But in a very narrow way.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. STARK] has expired.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield an additional 2 minutes to the gentleman from California [Mr. STARK].

Mr. STARK. The point that I would like to make to the gentleman from Mississippi and my colleagues on the other side of the aisle is that this is a procedure that we have never done before. We have never come back after a conference agreement and had the Senate send us something else without benefit; it is not a partisan issue. It may be a regional issue but——

Mr. LOTT. Will the gentleman yield on the AFDC question?

Mr. STARK. I would be glad to yield.

Mr. LOTT. As a matter of fact, I have a list here of over 20 States that would have to change their AFDC rules if the House bill prevails, including my own State. So here, once again, a large number of States that already have rules dealing with this question of AFDC would have to then change their laws, and they may not want to do that.

Mr. STARK. The gentleman makes a good point. The point is that that was an issue that was debated in the conference. It was agreed to by the Senate and by the House, by Members of both parties, as a compromise on the part of both bodies, and we have not had the opportunity to revisit that. It seems to me—and I make a procedural point, not on each issue—do we want to start? And I think this is a question of preserving the integrity of the House.

Mr. LOTT. If the gentleman will yield, I understand the gentleman; I know how hard he has worked on this, and I quite often feel that frustration about the integrity of the House and being made aware of what is going on. And that is why I was so frustrated, as a matter of fact, as a member of the Rules Committee last week when this reconciliation package was brought before the Rules Committee. I do not think one member of the Rules Committee knew what was in that reconciliation package. The ranking minority member of the Committee on the Budget was not aware, the Budget Committee did not act on it, we were scrambling around, saying, "Please, tell us, what are we voting on?" So I understand the gentleman's frustration, but I think we are a little bit too dirty to now demand purity on procedure. I hope that we can bring this thing to a conclusion and get an agreement on a reconciliation bill.

I thank the gentleman for yielding time.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 7 minutes to the gentleman from Louisiana [Mr. MOORE].

(Mr. MOORE asked and was given permission to revise and extend his remarks.)

Mr. MOORE. I thank the gentlewoman for yielding.

Mr. Speaker, down home we have a saying: There comes a time when you either fish or cut bait.

It is time to fish or cut bait with this bill. This, to the best of my memory, is the second time we had it up this year. We had it up in December two or three times. Lord knows, we must have voted on this thing five times. It is getting a little silly now to keep playing this game of ping-pong, battling and paddling this bill back and forth between the two bodies.

We have before us today something different. Yes, it is a little bit different

than the bill we sent over from the House. That is the way compromises work. But, more importantly, it is a bill that was passed by the other body last week, substantially so. More important than that, it is a bill that will be signed by the President of the United States.

□ 1400

No version we have passed, either the House or the Senate before this one, had that guarantee and that assurance.

There are some people here willing to play chicken. There are some folks here saying, "Well, let us just go one step further, let us see if we cannot get just one more thing we want in here and send it over to the President and see if he will veto it."

My friends, we are playing chicken with a fellow that has not lost a game of chicken yet with this Congress since he has been President. If you think you are going to buffalo him or scare him, then you are looking back over 6 years of frustration thinking you have found something new. That is not going to work. I think you are making a mistake there.

We have a chance to achieve $17 billion in savings by simply passing this bill and sending it straight to the White House. Now, what is the purpose of reconciliation? I have some mistaken notion, evidently, that that is its purpose; to try to come up with the legislative savings to implement the budget resolution we passed, and that I voted for last year, to save $17 billion.

The arguments have degenerated not over the savings of money, we are now arguing over OCS powers to the States; we are arguing over Buy America amendments; we are arguing over AFDC changes; we are arguing over one State having something the other State should not have and Medicare in terms of advancement on the DRG system. None of those, I repeat, none of those have anything to do with saving money. Every single one of those points of contention, all valid, they have all got good reasons behind them, are policy questions.

Those policy questions should never have been in a reconciliation bill to start with; we all know that. Reconciliation was to pass the savings into law of that budget resolution. Not to get off into this kind of a thing. I say to all those people who feel strongly about those policy changes: Bring them to us under the regular procedure of your authorizing committee. We will take those up as you are supposed to take up policy questions on the House floor.

Do not get it mixed up with something in trying to save money. I serve on the Budget Committee. We have got to start writing a budget, and boy, time is running out, to save $40 billion to beat Gramm-Rudman next year. We have not gotten started. Here is 17 that would be a start. This $17 billion would go to that baseline. Let us keep playing around; let us keep playing ping-pong, let us keep laying these policy questions, and mind you, to me, it is like another old saying, that is the tail wagging the dog. Let us let the tail keep wagging the dog, and we are not getting anywhere very fast.

We are not getting anywhere at all. In my State we are vitally interested in the passage of this bill today. We have been struggling for 8 years and two administrations to finally get a just settlement of the offshore money. That is money; that is something that validly ought to be in this bill. That is something that will help the Federal Government reduce its deficits.

Finally it is here. Finally it is here; something everybody can live with. Something the Senate passed. Something that two Senators from my State voted for. Something that the Governor of my State is asking all of us in the House delegation from Louisiana to vote for.

It is finally a resolution of that issue, important to my State, important to the Federal Government. Too important to let the tail wag the dog. Too important to let these policy questions that are valid sit here and delay us from bringing about a resolution of $17 billion in savings for the deficit.

People feel strongly about the Buy America amendment. Let me tell you something: I have sympathy for that. We have got the very people who build those rigs now seeing them built overseas. The people that make the steel for them see the steel made overseas, but you are not going to lose anything by delaying this another month or two and take that up separately because nobody is building oil rigs right now. They are being stacked and sold for 10 cents on the dollar.

Anybody that thinks the Buy America amendment is going to come to the immediate rescue of oil and gas workers in this country, and steelmakers in this country, are just fooling themselves. That is more political rhetoric. There is not a rig being built anywhere. You can buy them right now for 10 cents on the dollar in Lafayette, LA, and I will give you the name and address if you are interested in buying one. There are not going to be any more built.

You look at the question of section 19; I know that is important to California. I understand that; it is a raging controversy there. Let us take that up separately. Do not kill $17 billion in deficit savings. Do not kill this offshore settlement over that.

Let me conclude by saying that I have been called today by OMB and the White House saying that they are going to recommend a veto and it is very likely there will be a veto if you put these policy issues in there that they are opposed to. So you are playing a game of chicken. You are risking a settlement now that we live with. You do have a bill that we can simply pass. You better ask yourself what good reason have you got to try to put the ball in the other court one more time.

I think we have gone as far as we can go. We have got a good bill; we ought to sign it. We ought to pass it today and be done with it.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to the motion to concur and for the purpose of providing some legislative history.

Mr. Speaker, under section 779 of the reconciliation bill pertaining to the general revenue sharing law, the time for local governments or the Secretary of the Treasury to demand corrections of "prior underpayments or overpayments" of their revenue sharing amounts would end March 1, 1986—June 2, 1986 under the last Senate version. After that date, any demands for corrections of payments that have already been made will need to be brought to court.

The Members may want to bring this provision to the attention of their local governments, and I am requesting that the office of revenue sharing send a notice of this change of law with the next scheduled payment, on or about April 5, 1986.

The Members should also be aware that this provision does not change existing law as to "future" payments that are currently scheduled for July and October 1986. The Secretary and local governments will have until September 30, 1987 to demand corrections in overpayments and underpayments, as now provided in section 6702(c) of title 31, United States Code.

Mr. BROOKS. Mr. Speaker, as one of the House conferees on the revenue sharing provision of H.R. 3128, I want to associate myself with the statement of the gentleman from New York [Mr. WEISS] in regard to section 14001(a)(4) of the conference agreement. I concur in Mr. WEISS' suggestion that the office of revenue sharing should notify units of local government that claims for prior underpayments must be submitted by June 2, 1986. I also agree with the gentleman that the provisions of current law would govern the deadline for claims of underpayment arising from July 1986 and October 1986 payments.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. I thank the gentleman for yielding me this time.

Mr. Speaker, I would hope that we would refuse the motion to concur in the Senate amendment because I think the Senate left out a very important provision of this law. That is section 19 dealing with the OCS Lands

Act that was intended to strengthen the role of the Governors and other coastal officials in leasing decisions off the coast of our States.

It requires that the Secretary shall consider the legitimate views of the coastal officials that have been effectively ignored in the past. What we have seen in the history of this program is numerous lawsuits, challenging the Secretary in nearly every coastal State because of inadequate consultation with State officials about the development off their coasts. Most recently we have seen this situation in Alaska.

We have seen suits and moratoriums in California and response to lack of consultation that have delayed the leasing program. We have seen minimal compliance concerning the views of the Governors. In one case we saw the Governor of California's views rejected minutes before the sale was accepted.

We have seen the rights to challenge the Secretary's decisions restricted to arbitrary and capricious tests. Section 19 does not give the Governors a veto, but it does require that there be an equal balancing of the environmental resource development and the development of the offshore oil resources.

This does not change the national interest test, but questions the manner in which these resources shall be weighed against the development of the coast. I think this is one of the most important provisions of the OCS Lands Act, and is important to the States, and is important so that we can get on with the orderly development of our OCS resources.

This was an integral part of the compromise that was reached in the conference committee. The Senators from Louisiana agree to this. The Senator from Idaho agreed to this language. It was agreed to by all of the conferees as a necessary part of the AG settlement. Now we have seen it doublecrossed by the Senate.

I think what is important is that we not allow that to happen for the sake of the institution of the House of Representatives. But also section 19 would solve a problem that again has just recently reoccurred in California. I have a letter from Governor Deukmejian who lays out the fact that he says he must note in the Interior's recent decision to go forward with the call for information on lease sale 91 off of northern California, and its announced intent to go forward with the call for a southern California sale, "exhibits a serious disregard for the process as established by the OCS Lands Act as amended. The Attorney General of California and I have notified Secretary Hodel that we intend to take whatever legal actions necessary to ensure that the process is properly followed."

As a result of not having a strong section 19, once again we see coastal States going into court seeking to have their rights enforced, delaying the operation of the OCS Lands Act to the detriment of the orderly development of our offshore resources.

I would hope that we would support the motion to table and send this back to the Senate so the agreement that was concurred in by all members of the conference committee be concurred in by this House and with the passage of the Reconciliation Act.

□ 1410

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. PANETTA].

(Mr. PANETTA asked and was given permission to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, having worked on reconciliation the last 5 or 6 years, there are two very important lessons that this body must keep in mind when we talk about reconciliation. One is truly savings, how much savings are being achieved?

The second is do we protect the position of the House in the conference, because if we are going to have any leverage in dealing with reconciliation, we simply have to stand by the position of the conferees.

On savings, it is clear that $18.6 billion is saved under either version. There are equivalent savings here, whether we accept the position of the House initially or the position that has been referred back to us from the other body.

The second issue, however, is the one that needs to be focused on. Do we in fact protect the position of the House in the conference? We voted this issue to the other body by a vote of 314 to 86, after careful negotiations. Now what we are dealing with is not a deal in which both Houses sat down and worked out their differences with the President, what we have here is a situation in which the other body with OMB worked out their own deal and now they are saying, "Let's all bend over in order to allow this to pass through."

You cannot deal with reconciliation that way. What happens? Look at what happens. The chairman of the Finance Committee sticks in a special provision that applies to one State only, and it costs $25 million. That is what happens.

Second, negotiations carefully worked out on the OCS issue, on the Buy America issue, thrown out the window because of this kind of a deal.

So I urge the House to look at the real lessons of reconciliation; first, savings; but second, let us protect the position of the conferees in the House if we really want to protect the reconciliation process.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. PETRI].

(Mr. PETRI asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. PETRI. Mr. Speaker, included in this reconciliation package before us is a provision to increase by 10 percent the tax on coal in an effort to solve the deficit problem of the black lung trust fund.

Let me remind you that the intent of Congress in establishing a coal tax and creating the black lung trust fund was to remove from the Federal Government the responsibility of paying black lung benefits and place that responsibility on the coal industry. This effort to shift the burden to the coal industry was first started in 1978, and as hard as we have tried, we are still unsuccessful.

The reason for our lack of success has been inaccurate calculations regarding the number of beneficiaries, interest rates, and the tons of coal mined.

All these miscalculations have resulted in a current accumulated trust fund debt of $2.8 billion. The trust fund has had to borrow this money from the Treasury because the fund's income has never been adequate to meet its expenditures.

The black lung provisions included in H.R. 3128 consist of: First, a 10-percent increase in the current tax on coal production; second, a forgiveness to the coal industry of the interest that would otherwise accumulate on the outstanding debt over the next 5 years; and third, a decrease in tax at the beginning of 1996 to the rates that were in effect prior to the last set of rate increases in 1981.

Proponents of this provision have stated that this increase is great enough for the fund to reach solvency by the year 1997 and for the debt to be retired by 2007. However, the Labor Department's estimates, with which I concur, indicate that under this proposal before us today the deficit of the trust fund will be $12 billion by the year 2010 and the trust fund will never reach solvency. It is my understanding that the CBO estimates do not contradict the Department's estimates.

I would urge that my colleagues follow the advice of the Labor Department in considering what must be done so that the trust fund can achieve solvency.

Mr. Speaker, the letter from the Honorable Bill Brock on this issue follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, DC, March 17, 1986.

Hon. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, DC.

DEAR DAN: I am writing you to correct a misimpression apparently held by some members concerning the effect on the solvency of the Black Lung Trust Fund of provisions in the pending reconciliation bill.

The Administration has agreed to the changes to the Black Lung program incorporated in the current bill as part of an overall reconciliation package. Nevertheless, the changes will not eliminate the solvency problems of the Black Lung Trust Fund.

The Trust Fund has a current accumulated debt of $2.8 billion. This money is owed to the United States, which has loaned it to the Trust Fund at standard Treasury interest rates. The loans were necessary because the Fund's income, which comes from an assessment on coal production, has never been adequate to meet its outlays, despite the intent of Congress that mine operators as a group pay for all Fund expenditures.

The black lung provisions in the most current version of the reconciliation legislation consist of three parts: (1) a 10% increase in the current assessment on coal production; (2) a decrease in those assessments at the beginning of 1996 to the rates that were in effect prior to the last set of rate hikes in 1981; and (3) a forgiveness to the coal industry of the new interest that would otherwise accumulate on their outstanding debt over the next five years.

The proponents of these provisions have stated that such legislation will eliminate the industry's debt to the Treasury. They are wrong. Adoption of these proposals will not halt the continued accumulation of new debt, let alone repay the outstanding debt existing already. As indicated on the attached chart, the Department of Labor estimates that the Trust Fund deficit will exceed $12 billion by the year 2010 under this approach. It is important to note that nothing in the budget estimates on this proposal developed by the Congressional Budget Office, which refer only to the impact on the overall Federal deficit for the next five years, contradicts this unpleasant reality.

We wish to note again that the Administration proposed a legislative solution which would have halted the continued accumulation of new debt by the Trust Fund and restored the Fund to full solvency. That approach called for phased increases in the assessment on coal production.

I would appreciate it if you would include this letter in the record when the House votes to concur in the Senate amendments to the reconciliation bill.

The Office of Management and Budget advises that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Very truly yours,

WILLIAM E. BROCK.

DEPARTMENT OF LABOR ESTIMATES OF BLACK LUNG DISABILITY TRUST FUND FINANCIAL FLOWS UNDER THE PROVISIONS OF THE RECONCILIATION BILL PENDING IN THE SENATE AS OF MARCH 13, 1986

[By fiscal year, millions of dollars]

Year	Outlays	Revenue	Interest [1] paid on debt	Outlays plus interest	Advances needed [2]	Cumulative fund balances
1985 [3]	−630.6	569.8	−274.75	−905.4	−335.5	−2,832.7
1986 [4]	−655.1	590.9	*0	−655.1	−64.2	−2,896.9
1987	−677.7	646.7	0	−677.7	−30.9	−2,927.9
1988	−682.1	672.1	0	−682.1	−18.9	−2,937.9
1989	−694.3	700.8	0	−694.3	−6.6	−2,931.4
1990	−682.5	728.1	0	−682.5	−45.7	−2,885.7
1991	−648.4	752.4	−307.79	−996.2	−243.8	−3,129.5
1992	−648.1	790.8	−316.72	−1,000.8	−210.0	−3,339.5
1993	−681.9	817.5	−324.94	−1,000.9	−189.4	−3,528.9
1994	−676.8	846.8	−332.01	−1,008.8	−162.0	−3,690.9
1995	−668.1	873.7	−337.82	−1,000.9	−132.2	−3,823.1
1996	−655.4	533.8	−353.37	−1,008.8	−475.0	−4,298.0
1997	−639.9	391.7	−375.45	−1015.3	−623.6	−4,921.6
1998	−621.9	486.3	−403.91	−1,025.8	−619.5	−5,541.1
1999	−601.6	421.3	−431.94	−1,033.6	−612.3	−6,153.4
2000	−579.5	436.7	−459.44	−1,038.9	−602.2	−6,755.6
2001	−577.0	452.8	−486.35	−1,043.4	−590.6	−7,346.2
2002	−536.7	469.4	−512.65	−1,049.3	−579.9	−7,926.2
2003	−518.4	486.6	−538.49	−1,056.8	−570.2	−8,496.3
2004	−500.2	504.4	−563.56	−1,063.7	−559.3	−9,055.7
2005	−481.3	522.8	−587.53	−1,068.9	−546.0	−9,601.7
2006	−462.1	541.9	−610.90	−1,073.9	−531.1	−10,132.8
2007	−442.5	562.6	−633.60	−1,076.1	−514.5	−10,647.3
2008	−422.9	582.0	−655.57	−1,078.4	−496.4	−11,143.7
2009	−403.3	603.1	−676.73	−1,080.0	−476.9	−11,620.7
2010	−384.9	624.9	−697.01	−1,081.9	−456.1	−12,076.7

[1] In 1989–1990, no advances will be needed from the Treasury. The figures shown for these years are the excess of revenues over outlays (which will reduce the accumulated Fund balance). Advances will resume in 1991.
[2] Actual.
[3] Projected.
[4] Between 1986–1990, no interest will be accumulated to the BLDTF because of the forgiveness provision of the legislation.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I thank the chairman for yielding.

Let me call attention to section 152-02. This is another reason I think to reject the motion to concur. It has to do with something that may not seem extraordinarily important, but it means a lot to the people who participate in Government health plans. As we know, there are 101 different plans.

What we propose to do is lift the cap so that we can make these plans more competitive. The theory of lifting the cap, which is not an official cap, would be that employees then participate in lower cost programs and the Government contribution would then go down.

We know that in the past the administration and OPM have agreed to this, so we do not understand the rationale of having the Senate reject it.

Now, I hope that once in awhile we can give a break to Government employees. I mean, it is not about time that we try to do something that would lower the out-of-pocket expenses they have? After all, we have agreed for the second consecutive year not to give them any raise. We are RIFing people, cutting back and so on. Why do we not do what is prudent, expedient and expeditious, and release this artificial cap so that we can give employees the opportunity to go into lower cost programs? By doing that, the Government contribution goes down as well. It just does not make a lot of sense not to do that.

I hope that we will reject the motion to concur and protect the integrity of the House.

This is really a battle I think more between the House and OMB. Now, if you think that OMB is a legislative branch, fine; then why do we not just roll over an play dead and not do anything to legislate intelligently.

I think we should not give OMB veto power. They are not a branch of the Government and we really ought to protect our conferees on both sides of the aisle. That is what this debate is all about.

I hope we concur with the budget of the distinguished committee chairman.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. Bosco].

Mr. BOSCO. Mr. Speaker, I believe the issue before us right now is not whether there should be policy considerations in the reconciliation bill. All of us know there are dozens of them, but the issue is, will there be any integrity to the process by which we make these decisions? Thousands of hours have been spent on this bill. I have spent many hundreds myself. Over 30 conference committees have met to iron out the provisions of this bill and yet at the last minute a small handful of people from the other body meeting with those from OMB decided that they could discard most of this and throw it in the trash can.

A good example is what happened to the provision that will provide thousands of jobs for American steelworkers and Americans who work on offshore oil platforms. This is property that is owned by the people of the United States, our offshore oil resources. Only American oil companies can bid on that oil, only American labor can work on those rigs. Only American vessels can carry the oil. The oil may only be sold in America; yet for the most part the oil companies in the biggest job producing section of their business have taken thousands and thousands of jobs overseas in building these enormous offshore oil rigs. Out of the last 13 contracts for building these rigs, 12 have gone to Korea and Japan.

The provisions that would prevent that from happening in the reconciliation bill passed the House and the Senate twice. They passed the conference committee. They had support from both Republicans and Democrats, and yet at the last minute were taken out of the bill.

On behalf of the thousands of people who will get work in the future from these provisions, I ask that we go back once more to the bargaining table. I think we are near the end of the line on this bill and I think we can get the Senate to concur with us.

I do not think any of us want to go home and say that we voted against American workers, that we voted against American jobs, that we voted to allow the extraction of publicly owned resources, that work not go to Americans, but go to Korea.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. FORD], a member of the Ways and Means Committee.

(Mr. FORD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. FORD of Tennessee. Mr. Speaker, I do not know how many times the House can be expected to negotiate the provisions of this legislation. I would like to remind my colleagues that the Senate passed the original conference report on H.R. 3128 twice. Two weeks ago, in a good-faith effort to get a bill enacted, the House Members took the unusual step of giving up important provisions that had been agreed upon by the conferees on this conference. We gave the Senate and the White House another bite at this apple.

The House amendment was passed by a vote of 314 to 86.

Now the Senate wants the House to give them even more. The Senate amendment deletes the provision that mandates the AFDC unemployed parent program. In half the States, a father must leave the home in order for his family to receive AFDC benefits. This misguided policy encourages family breakup.

In the conference agreement, we abolished this antifamily policy by mandating that all States provide assistance to two-parent needy families.

In the State of the Union Message in February, our President talked about the profamily provision in the study by the Domestic Policy Council, which will be headed up by the Attorney General, Ed Meese. He called upon welfare reform to strengthen the profamily. The AFDC-UP, unemployed parent, provision within the conference that the House reported out, and we have voted upon twice in this House, send very clear signals to this administration that the House of Representatives and the Ways and Means Committee responded to his profamily provision by saying that there are more than 26 States today that have not opted out for the father to live in the household.

We know that, of all the AFDC recipients, 50 percent or more come off the rolls within a 2-year period. We have seen just in the month of February that unemployment has jumped again beyond the 7 percentage points. If we want to respond to the family unit and the family structure of this Nation, then I say let Reagan be Reagan today and let us go on record in supporting the AFDC-unemployed-parent provision within this reconciliation package.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. HUCKABY].

Mr. HUCKABY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, there are clearly four issues before the House today. As was just mentioned, the AFDC problem, and prior to that the Buy American problem which is so important for American jobs and the American steel industry as such.

The third problem is should our Governors have a voice, not veto power, but a voice, a say, some input into offshore oil and gas drilling.

The fourth is the HE oil and gas settlement to the coastal States.

The Senate just significantly changed the proposal on the HE oil and gas settlement, meaning some 20 percent less to the States.

I suggest this is not fair. We had already at the beginning of this year agreed to give up the right to pre-1978 claims, a major concession as such.

I would suggest to my colleagues that the HE is not the overwhelming, overdriving issue here as such. I would urge my colleagues to stay with the House position.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire [Mr. GREGG].

Mr. GREGG. Mr. Speaker, I thank the gentlewoman from Illinois.

Mr. Speaker, I am finding this whole process of the reconciliation bill to be one that is genuinely discouraging. It seems to me that we start out with a goal which has been obscured by what is now a turf battle between the House and the Senate and by what has become essentially a process which reminds me greatly of a minicontinuing resolution where everyone tries to get their program into a bill because they suspect that the bill is going to pass.

□ 1425

What we have here is not a piece of legislation which is directed at the original intent of the Budget Act or of this Congress, which was to reduce spending, and I will remind my colleagues that originally we were to reduce spending, or at least reduce this deficit, by approximately $60 billion.

What we have here today is a bill which is the product of what appears to be a backward potato race where people are bumbling all over each other in fights over turf and in fights over whose program is going to be saved where, and what new program which could not get through this House on its own merit is going to be added to this bill which appears to be on its way to passage in some form.

Clearly, our goals as a Congress should be to try to accomplish something on the deficit. Our goal should be to subscribe to what was the original purpose of the reconciliation bill, which was to reduce the deficit by approximately $60 billion.

We now have before us a bill which neither the Senate nor the House has produced which comes anywhere close to that, but at least the Senate bill makes a genuine attempt at increasing the reduction as versus a genuine attempt at reducing the reduction.

I would also note, as an aside, that it is inconceivable to me that on the House side we are going to produce a bill and claim it to be a spending reduction bill when 50 percent of that reduction involves increasing revenues. That is not reduction. The American people do not consider that to be a reduction, and I do not think this House should vote for a reduction which is actually a revenue raiser.

Mr. GRAY of Pennsylvania. Mr. Speaker, I would inquire of the gentlewoman from Illinois how many speakers the gentlewoman has remaining.

The SPEAKER pro tempore. Under the rules, the gentlewoman from Illinois [Mrs. MARTIN] is entitled to close the debate.

Mrs. MARTIN of Illinois. I will be closing, Mr. Speaker. That will be the last speaker, Mr. Speaker.

Mr. GRAY of Pennsylvania. Mr. Speaker, if the gentlewoman is going to close, we have one more speaker and then I will close for this side, and we can agree to yield back the balance of the time.

The SPEAKER pro tempore. The gentlewoman from Illinois [Mrs. MARTIN] reserves the balance of her time.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from the State of Washington [Mr. LOWRY], a member of the Committee on the Budget.

(Mr. LOWRY of Washington asked and was given permission to revise and extend his remarks.)

Mr. LOWRY of Washington. I thank the gentleman for yielding this time to me.

Mr. Speaker, I do not want to be redundant on important comments made by the previous speakers. I rise to oppose the motion to concur for the reasons that were stated.

I especially want to complement our colleague, the gentleman from Louisiana [Mr. HUCKABY], who just spoke in the well previous to me on the important compromise that was worked out on the Outer Continental Shelf revenues, a compromise to protect the rights of the States and Governors, that protected the environment, and gave a fair distribution of the revenues involved. The gentleman from Louisiana stated that well.

The Senate took that compromise that was worked out within the House and then worked out with the Senate, in which we concurred with the Senate and which then OMB comes up and cancels the compromise that was worked out in the normal process. This is a question of who makes decisions on this Hill, and it is very important that we do not concur with the motion that is before us, and that we table that motion and send our bill, which is a good bill, back to the Senate.

Mr. Speaker, I oppose the motion to concur in the Senate version of the conference report on the omnibus budget reconciliation bill for several reasons, but I will limit my remarks to the amendment to section 19 of the Outer Continental Shelf Lands Act. This amendment is in the original conference bill that was agreed to by the conferees, and that has already been approved by both bodies at least once. The latest Senate version comes back to the House minus the section 19 amendment.

The effect of this amendment is simply stated. In conducting lease sales or approving oil and gas exploration or development plans, the Secretary of the Interior must "equally weigh" the need for oil and gas together with the need to protect other resources, including living marine resources. The decision is the Secretary's not the Governors of coast States, and there is no veto given to the Governor over the Secretary's decisions. All the amendment does is to require that the Secretary weigh the

need to protect fisheries, marine wildlife and State coastal resources on the same scale as he weighs the need to produce oil and gas. With this amendment the Secretary cannot unfairly tip the balance in favor of oil and gas.

This is not a veto as some have said. I fail to understand why Interior is so opposed to this amendment. Is it Interior's argument that unless oil and gas has a priority over all other resources and uses of the ocean, that Interior can never justify a lease sale or development plan? That is an outrageous argument, but it is certainly the only argument Interior makes.

Thank you, Mr. Speaker.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this issue that we face this afternoon is not simply the issue of deficit reduction, for I have stood on this floor on many occasions and argued for the quick passage of the reconciliation bill, and I have done so feeling that as we delayed, there would be the loss of revenue and deficit reduction, but I have done so believing that we have operated in good faith.

The issue today is whether or not that good faith has continued. I submit to my colleagues that it has not primarily because what has happened is that the agreements reached in conference have been unilaterally changed by the other body and there have been provisions that have been added and sent back to us without an opportunity for this House to go to conference, discuss those changes.

Clearly, when one looks at those changes, one sees that we have tried in this body to compromise, going back as long as last year, in December, beginning on December 19 when we brought forth a conference agreement, and then going and meeting with the leadership, the White House and then meeting with leaders of the other body, and then working out several different arrangements. But each time that we came up with an arrangement of compromise and agreement, someone who was not at the table said, "No, I do not like it." It was always the White House.

Simply, we cannot operate that way, and today what we have before us is a piece of legislation that has significant changes that I do not believe this body wants to implement.

We have talked a lot about family values, and as the gentleman from Tennessee pointed out, if we are talking about strengthening the families, why, then will we not take the House position with regard to AFDC, which will provide a strengthening of the families. Why, then, are we closing the door on Federal employees once again and taking another whack out of them? Why, then, are we saying to 49 States, "Your medical systems are going to be reimbursed one way, but one State is going to have a different system"?

I do not believe that is what the House wants. I think that is why the House voted overwhelmingly last week to take the position, reaffirmed the same position that it held in December, and I simply say to all of my colleagues on both sides of the aisle, yes, I want to see speedy deficit reduction, but I want it in good faith. I want it done with agreement between the two bodies, and I do not believe it is in good faith when the White House comes in after we reach an agreement and says, "No, we do not like this," and so it unravels again.

I say to my colleagues, if we want an equitable settlement, if we want a compromise that represents us all, then I would urge my colleagues to vote against the motion to concur. I would urge Members to say no. I would urge Members to say to the other body that this is not the way that we should act as legislators. One should act in good faith, and certainly we should not slip into bills those items that would protect 1 State and throw out the other 49.

I say to those colleagues who are thinking about voting because they want deficit reduction, and because there is one item here of importance to them, think before you vote. Will your hospitals, will your health-care systems, will they support a vote that discriminates against them simply because of one State? I do not think so, and particularly when we have not had an opportunity to conference on it, to discuss it, to perhaps work out any agreements.

So, therefore, I urge all of my colleagues, in the same bipartisan way that we did last week, to say no to the motion to concur.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the gentleman, in general, is accurate, but he is slightly in error. This is a reconciliation bill, and it is about deficit reduction.

Before we get to that deficit reduction, perchance we could talk about the two other issues that seem to be the only ones dominating the debate. One is the fact that one State gets treated differently than another, and the problem there is that we are all green with envy that we did not get in for our States.

Anybody here who has never gone home and chortled in a press release about how they put something over and how they got something for their district or their State that nobody else got, then you are the one person who can be offended because somebody else in the other body did something. I suggest that any time anyone has said that they got a housing project or some road money or that they have had a change, yes, in hospital reimbursements, or in a farm bill or in a defense contract, can hardly now claim to be virginal. They have already, too often, been back and forth to Reno, for heaven's sake.

The second argument involves one of institutional honesty. Whenever the majority party starts talking about institutions, I start getting worried but a little optimistic that the minority may be close to winning something. That is usually the last argument, that we have to do it for the House.

Let us take apart the arguments. Some people have complained that they have not been consulted. Good grief, I am handling the bill and I was not consulted. So what? An agreement has been reached. We can get a signature. And now we get to what the bill is really about: We can save some money. It is not a perfect bill. It is not a bill any of us would put on our campaign documents and say, "Here it is, the most wonderful thing ever passed," but it is $26 billion that we will not get.

We have been throwing this basketball back and forth, back and forth. Double overtime is over. Here it is.

□ 1435

For those of you who are concerned about the tobacco function, it is already here, and yes, it is retroactive, no promise later on we will take care of it. It is already in the Senate bill.

The problem is that lots of people want to talk about deficit reduction, but I think there are some people here that actually do not want to do it, that anytime you get near to really starting to squeeze, they immediately say there is something wrong with the bill.

There are going to be a complicated series of votes. Nothing is ever simple. I have a motion to concur; the gentleman will have a motion to table.

If you believe that there should be no deficit reduction, vote with the gentleman. If you believe that you are purer than driven snow and that every Member, 435, must be consulted, then you should vote to not concur. If you do not believe that the President has to sign a bill and, therefore, has to be a part of the argument, then vote with the gentleman.

Last night I had the joy of watching two Irishmen work together a crowd, one from my party, one from yours. I would suggest we try what they talked about last night, bipartisanship, and indeed work across the Rotunda. I would ask the Members regardless of party, regardless of region, to look at what really exists in this bill, to save $26 billion, to not give lie to the idea that we do want to save some money, and to vote to concur with our colleagues on the other side of the rotunda, to vote to concur across party lines and to get on with this year's budget since we only have 2 weeks before we are supposed to be finished with it.

This is a last-minute thing. It should have been handled long ago. Its time is over and our time is now.

Please vote to concur and no to table.

I yield back the balance of my time.

MOTION TO TABLE OFFERED BY MR. GRAY OF PENNSYLVANIA

Mr. GRAY of Pennsylvania. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. GRAY of Pennsylvania moves to table the motion to concur.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GRAY] to table the motion to concur offered by the gentlewoman from Illinois [Mrs. MARTIN].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. MARTIN of Illinois. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 217, nays 192, not voting 25, as follows:

[Roll No. 55]

YEAS—217

Ackerman	Early	MacKay
Akaka	Eckart (OH)	Manton
Alexander	Edwards (CA)	Markey
Anderson	English	Martinez
Andrews	Evans (IL)	Matsui
Anthony	Fascell	Mavroules
Applegate	Fazio	Mazzoli
Aspin	Feighan	McCloskey
Atkins	Flippo	McCurdy
AuCoin	Florio	McHugh
Barnard	Foglietta	Mica
Barnes	Foley	Mikulski
Bates	Ford (MI)	Miller (CA)
Bedell	Ford (TN)	Mineta
Bellenson	Frank	Mitchell
Bennett	Frost	Moakley
Berman	Fuqua	Mollohan
Bevill	Garcia	Moody
Biaggi	Gaydos	Morrison (CT)
Boggs	Gejdenson	Mrazek
Boland	Gibbons	Murphy
Boner (TN)	Glickman	Murtha
Bonior (MI)	Gonzalez	Neal
Bonker	Gordon	Nelson
Borski	Gray (IL)	Nichols
Bosco	Gray (PA)	Nowak
Boucher	Guarini	Oakar
Boxer	Hall (OH)	Oberstar
Brgaux	Hamilton	Obey
Brown (CA)	Hawkins	Olin
Bruce	Hefner	Ortiz
Bryant	Heftel	Owens
Burton (CA)	Hertel	Panetta
Bustamante	Howard	Penny
Byron	Hoyer	Pepper
Carper	Huckaby	Pickle
Carr	Hughes	Price
Chapman	Hutto	Rahall
Chappell	Jacobs	Rangel
Coelho	Jones (OK)	Ray
Coleman (TX)	Jones (TN)	Reid
Conyers	Kanjorski	Richardson
Cooper	Kaptur	Robinson
Coyne	Kastenmeier	Rodino
Crockett	Kennelly	Roe
Daschle	Kildee	Roemer
de la Garza	Kleczka	Rose
Dellums	Kolter	Roybal
Derrick	Kostmayer	Russo
Dicks	Kramer	Sabo
Dingell	LaFalce	Scheuer
Dixon	Lantos	Schroeder
Donnelly	Lehman (FL)	Schumer
Dorgan (ND)	Leland	Seiberling
Dowdy	Levin (MI)	Sharp
Downey	Levine (CA)	Shelby
Durbin	Long	Sikorski
Dwyer	Lowry (WA)	Sisisky
Dymally	Luken	Skelton
Dyson	Lundine	Slattery
Smith (FL)	Torres	Weiss
Smith (IA)	Torricelli	Wheat
Solarz	Towns	Whitley
Spratt	Traficant	Williams
St Germain	Udall	Wirth
Staggers	Valentine	Wise
Stallings	Vento	Wolpe
Stark	Visclosky	Wright
Stokes	Volkmer	Yates
Stratton	Walgren	Yatron
Studds	Watkins	Young (MO)
Swift	Waxman	
Tauzin	Weaver	

NAYS—192

Archer	Hall, Ralph	Pashayan
Armey	Hammerschmidt	Pease
Badham	Hansen	Perkins
Bartlett	Hartnett	Petri
Barton	Hatcher	Pursell
Bateman	Hendon	Quillen
Bentley	Henry	Regula
Bereuter	Hiler	Ridge
Billrakis	Hillis	Rinaldo
Bliley	Hopkins	Ritter
Boehlert	Horton	Roberts
Boulter	Hubbard	Rogers
Brooks	Hunter	Roth
Broomfield	Hyde	Roukema
Brown (CO)	Ireland	Rowland (CT)
Broyhill	Jeffords	Rowland (GA)
Burton (IN)	Jenkins	Rudd
Callahan	Johnson	Saxton
Carney	Jones (NC)	Schaefer
Chandler	Kasich	Schneider
Chappie	Kemp	Schuette
Cheney	Kolbe	Schulze
Clinger	Lagomarsino	Sensenbrenner
Coats	Leach (IA)	Shaw
Cobey	Leath (TX)	Shumway
Coble	Lent	Shuster
Coleman (MO)	Lewis (CA)	Siljander
Combest	Lewis (FL)	Skeen
Conte	Lightfoot	Slaughter
Coughlin	Livingston	Smith (NE)
Courter	Lloyd	Smith (NJ)
Craig	Loeffler	Smith, Robert (NH)
Crane	Lott	
Daniel	Lowery (CA)	Smith, Robert (OR)
Dannemeyer	Lujan	
Darden	Lungren	Snowe
Daub	Mack	Snyder
Davis	Marlenee	Solomon
DeLay	Martin (IL)	Spence
DeWine	Martin (NY)	Stangeland
Dickinson	McCain	Stenholm
DioGuardi	McCandless	Strang
Dornan (CA)	McCollum	Stump
Dreier	McDade	Sundquist
Duncan	McEwen	Sweeney
Eckert (NY)	McGrath	Swindall
Edwards (OK)	McKernan	Tauke
Emerson	McKinney	Taylor
Erdreich	McMillan	Thomas (CA)
Evans (IA)	Meyers	Thomas (GA)
Fawell	Michel	Traxler
Fiedler	Miller (OH)	Vander Jagt
Fields	Miller (WA)	Vucanovich
Fish	Molinari	Walker
Franklin	Monson	Weber
Frenzel	Montgomery	Whitehurst
Gallo	Moore	Whittaker
Gekas	Moorhead	Whitten
Gilman	Morrison (WA)	Wolf
Gingrich	Myers	Wortley
Goodling	Natcher	Wyden
Gradison	Nielson	Wylie
Green	O'Brien	Young (AK)
Gregg	Packard	Young (FL)
Gunderson	Parris	

NOT VOTING—25

Addabbo	Hayes	Rostenkowski
Annunzio	Holt	Savage
Campbell	Kindness	Smith, Denny (OR)
Clay	Latta	
Collins	Lehman (CA)	Synar
Edgar	Lipinski	Tallon
Fowler	Madigan	Wilson
Gephardt	Oxley	Zschau
Grotberg	Porter	

□ 1455

Mrs. BENTLEY and Messrs. ARMEY, GREEN, HORTON, CONTE, GILMAN, and PETRI changed their votes from "yea" to "nay."

Mr. HEFNER and Mr. VALENTINE changed their votes from "nay" to "yea."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION OFFERED BY MR. GRAY OF PENNSYLVANIA

Mr. GRAY of Pennsylvania. Mr. Speaker, I offer a motion.

PARLIAMENTARY INQUIRY

Mr. LOTT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LOTT. Mr. Speaker, I understand the gentleman from Pennsylvania has offered a motion to disagree. My parliamentary inquiry is, would a motion to disagree to the last amendment of the Senate and request a conference thereon be a preferential motion to the motion to disagree, that is, more preferential?

The SPEAKER pro tempore. The Chair would advise the gentleman in the affirmative, that is correct.

Mr. LOTT. Then Mr. Speaker, I have a privileged resolution which I send to the desk.

The SPEAKER pro tempore. If the gentleman will hold, the Clerk will first report the motion of the gentleman from Pennsylvania.

The Clerk read as follows:

Motion offered by Mr. GRAY of Pennsylvania: Mr. GRAY of Pennsylvania moves to take from the Speaker's table the bill H.R. 3128 with the Senate amendment to the House amendment to the Senate amendment to the House amendment to the Senate amendment thereto and to disagree to the Senate amendment.

The SPEAKER pro tempore. The Chair would advise the Members that this is a very important matter. It is a very detailed parliamentary situation, and I am sure the Members would like to know what they are going to be voting on.

PARLIAMENTARY INQUIRY

Mr. GRAY of Pennsylvania. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GRAY of Pennsylvania. Mr. Speaker, which motion was read, was it my motion or that of the gentleman from Mississippi?

The SPEAKER pro tempore. The Clerk has just read the motion of the gentleman from Pennsylvania.

The Clerk will now report the preferential motion of the gentleman from Mississippi.

PREFERENTIAL MOTION OFFERED BY MR. LOTT

Mr. LOTT. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Preferential motion offered by Mr. LOTT: Mr. LOTT moves to disagree to the last amendment of the Senate and request a conference thereon.

Mr. GRAY of Pennsylvania. Mr. Speaker, I move to table the motion.

The SPEAKER pro tempore. The Chair would ask which motion, the motion of the gentleman from Mississippi [Mr. LOTT]?

Mr. GRAY of Pennsylvania. Yes, Mr. Speaker.

Mr. Speaker, I move to table the motion of the gentleman from Mississippi [Mr. LOTT].

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GRAY] to table the motion offered by the gentleman from Mississippi [Mr. LOTT].

PARLIAMENTARY INQUIRY

Mr. LOTT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LOTT. As the Chair has stated, this is a complicated parliamentary process we have here.

Mr. Speaker, I would like to make sure that Members understand what they are about to vote on and that I understand what we are about to vote on.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. GRAY] made a motion to disagree to the Senate amendment. The gentleman from Mississippi [Mr. LOTT] made a motion to instruct—excuse the Chair—to disagree to the Senate amendment and to go to conference. The gentleman from Pennsylvania now has moved to lay that on the table.

Mr. LOTT. Mr. Speaker, I believe the motion we offered was not to instruct conferees. The motion that was offered was to request a further conference with the Senate on the bill, H.R. 3128.

The SPEAKER pro tempore. The gentleman is correct.

Mr. LOTT. So that we do not send this off into some dark hole, but so that we could have a conference to try to further work out the difficulties.

So my parliamentary inquiry is this: Is the vote at this time then on the motion to table the motion for a conference on this most important reconciliation bill?

The SPEAKER pro tempore. The gentleman is correct.

Mr. LOTT. So if you vote for the motion to table you are saying you do not even want to go to conference, is that correct?

The SPEAKER pro tempore. The regular order is that the gentleman from Pennsylvania has made a motion to lay on the table the motion of the gentleman from Mississippi, and the question occurs on the motion of the gentleman from Pennsylvania.

PARLIAMENTARY INQUIRY

Mrs. MARTIN of Illinois. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman from Illinois will state it.

Mrs. MARTIN of Illinois. Mr. Speaker, I am sure it was the noise of the body, but I did not hear the answer to the question that was posed by the Republican whip.

The question I believe was: When we vote on the motion to table going to conference a "yes" vote to table would mean you did not wish to go to conference on this important item, is that correct?

The SPEAKER pro tempore. At this stage that would be an accurate statement.

Mrs. MARTIN of Illinois. I thank the Speaker.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Pennsylvania [Mr. GRAY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LOTT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 223, noes 186, not voting 25, as follows:

[Roll No. 56]

AYES—223

Ackerman	Early	Lujan
Akaka	Eckart (OH)	Lundine
Alexander	Edwards (CA)	MacKay
Anderson	Erdreich	Manton
Andrews	Evans (IL)	Markey
Anthony	Fascell	Martinez
Applegate	Fazio	Matsui
Aspin	Feighan	Mavroules
Atkins	Flippo	Mazzoli
AuCoin	Florio	McCloskey
Barnes	Foglietta	McCurdy
Bates	Foley	McHugh
Bedell	Ford (MI)	Mica
Beilenson	Ford (TN)	Mikulski
Bennett	Frank	Miller (CA)
Berman	Frost	Mineta
Bevill	Fuqua	Mitchell
Biaggi	Garcia	Moakley
Boggs	Gaydos	Mollohan
Boland	Gejdenson	Moody
Boner (TN)	Gibbons	Morrison (CT)
Bonior (MI)	Glickman	Mrazek
Bonker	Gonzalez	Murphy
Borski	Gordon	Murtha
Bosco	Gray (IL)	Neal
Boucher	Gray (PA)	Nelson
Boxer	Guarini	Nichols
Breaux	Hall (OH)	Nowak
Brooks	Hall, Ralph	Oakar
Brown (CA)	Hamilton	Oberstar
Bruce	Hawkins	Obey
Bryant	Hefner	Olin
Burton (CA)	Heftel	Ortiz
Bustamante	Hertel	Owens
Byron	Howard	Panetta
Carper	Hoyer	Pease
Carr	Huckaby	Penny
Chapman	Hughes	Pepper
Chappell	Jacobs	Pickle
Coelho	Jenkins	Price
Coleman (TX)	Jones (NC)	Rahall
Conyers	Jones (OK)	Rangel
Cooper	Jones (TN)	Ray
Coyne	Kanjorski	Reid
Crockett	Kaptur	Richardson
Daschle	Kastenmeier	Robinson
de la Garza	Kennelly	Rodino
Dellums	Kildee	Roe
Derrick	Kleczka	Roemer
Dicks	Kolter	Rose
Dingell	Kostmayer	Roybal
Dixon	LaFalce	Russo
Donnelly	Lantos	Sabo
Dorgan (ND)	Leath (TX)	Scheuer
Dowdy	Lehman (FL)	Schroeder
Downey	Leland	Schumer
Durbin	Levin (MI)	Seiberling
Dwyer	Levine (CA)	Sharp
Dymally	Long	Shelby
Dyson	Lowry (WA)	Sikorski
Sisisky	Swift	Weaver
Skelton	Tauzin	Weiss
Slattery	Torres	Wheat
Smith (FL)	Torricelli	Whitley
Smith (IA)	Towns	Whitten
Solarz	Traficant	Williams
Spratt	Traxler	Wirth
St Germain	Udall	Wise
Staggers	Valentine	Wolpe
Stallings	Vento	Wright
Stark	Visclosky	Yates
Stenholm	Volkmer	Yatron
Stokes	Walgren	Young (MO)
Stratton	Watkins	
Studds	Waxman	

NOES—186

Archer	Gregg	Packard
Armey	Gunderson	Parris
Badham	Hammerschmidt	Pashayan
Barnard	Hansen	Perkins
Bartlett	Hartnett	Petri
Barton	Hatcher	Pursell
Bateman	Hendon	Quillen
Bentley	Henry	Regula
Bereuter	Hiler	Ridge
Billrakis	Hillis	Rinaldo
Bliley	Hopkins	Ritter
Boehlert	Horton	Roberts
Boulter	Hubbard	Rogers
Broomfield	Hunter	Roth
Brown (CO)	Hutto	Roukema
Broyhill	Hyde	Rowland (CT)
Burton (IN)	Ireland	Rowland (GA)
Callahan	Jeffords	Rudd
Carney	Johnson	Saxton
Chandler	Kasich	Schaefer
Chappie	Kemp	Schneider
Cheney	Kolbe	Schuette
Clinger	Kramer	Schulze
Coats	Lagomarsino	Sensenbrenner
Cobey	Leach (IA)	Shaw
Coble	Lent	Shumway
Coleman (MO)	Lewis (CA)	Shuster
Combest	Lewis (FL)	Siljander
Conte	Lightfoot	Skeen
Coughlin	Livingston	Slaughter
Courter	Lloyd	Smith (NE)
Craig	Loeffler	Smith (NJ)
Crane	Lott	Smith, Robert (NH)
Daniel	Lowery (CA)	Smith, Robert (OR)
Dannemeyer	Lujan	Snowe
Darden	Lungren	Snyder
Daub	Mack	Solomon
Davis	Marlenee	Spence
DeLay	Martin (IL)	Stangeland
DeWine	Martin (NY)	Strang
Dickinson	McCain	Stump
DioGuardi	McCandless	Sundquist
Dornan (CA)	McCollum	Sweeney
Dreier	McDade	Swindall
Duncan	McEwen	Tauke
Eckert (NY)	McGrath	Taylor
Edwards (OK)	McKernan	Thomas (CA)
Emerson	McKinney	Thomas (GA)
English	McMillan	Vander Jagt
Evans (IA)	Meyers	Vucanovich
Fawell	Michel	Walker
Fiedler	Miller (OH)	Weber
Fields	Miller (WA)	Whitehurst
Fish	Molinari	Whittaker
Franklin	Monson	Wolf
Frenzel	Montgomery	Wortley
Gallo	Moore	Wyden
Gekas	Moorhead	Wylie
Gilman	Morrison (WA)	Young (AK)
Gingrich	Myers	Young (FL)
Goodling	Natcher	
Gradison	Nielson	
Green	O'Brien	

NOT VOTING—25

Addabbo	Hayes	Rostenkowski
Annunzio	Holt	Savage
Campbell	Kindness	Smith, Denny (OR)
Clay	Latta	Synar
Collins	Lehman (CA)	Tallon
Edgar	Lipinski	Wilson
Fowler	Madigan	Zschau
Gephardt	Oxley	
Grotberg	Porter	

□ 1520

Mr. English changed his vote from "aye" to "no."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The pending business is the motion offered by the gentleman from Pennsylvania [Mr. GRAY] to disagree to the Senate amendment.

The gentleman from Pennsylvania [Mr. GRAY] will be recognized for 30 minutes and the gentlewoman from Illinois [Mrs. MARTIN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Speaker, it is my understanding that the minority side wishes to yield back its time; and if that is the case, the majority side will yield back its time and, thus, move the previous question.

Mrs. MARTIN of Illinois. Mr. Speaker, the minority side yields back its time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GRAY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAY of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 331, nays 76, not voting 27, as follows:

[Roll No. 57]

YEAS—331

Ackerman	Bruce	Duncan
Akaka	Bryant	Durbin
Alexander	Burton (CA)	Dwyer
Anderson	Bustamante	Dymally
Andrews	Byron	Dyson
Anthony	Callahan	Early
Applegate	Carper	Eckart (OH)
Archer	Carr	Edwards (CA)
Armey	Chandler	Emerson
Aspin	Chapman	English
Atkins	Chappell	Erdreich
AuCoin	Clinger	Evans (IA)
Barnard	Coats	Evans (IL)
Barnes	Cobey	Fascell
Bartlett	Coble	Fazio
Barton	Coelho	Feighan
Bates	Coleman (MO)	Fields
Bedell	Coleman (TX)	Fish
Bellenson	Combest	Flippo
Bennett	Conte	Florio
Bentley	Conyers	Foglietta
Bereuter	Cooper	Foley
Berman	Courter	Ford (MI)
Bevill	Coyne	Ford (TN)
Biaggi	Crane	Fowler
Bliley	Crockett	Frank
Boehlert	Daniel	Frost
Boggs	Darden	Fuqua
Boland	Daschle	Gallo
Boner (TN)	Daub	Garcia
Bonior (MI)	Davis	Gaydos
Bonker	de la Garza	Gejdenson
Borski	Dellums	Gibbons
Bosco	Dicks	Gilman
Boucher	Dingell	Glickman
Boulter	DioGuardi	Gonzalez
Boxer	Dixon	Goodling
Breaux	Donnelly	Gordon
Brooks	Dorgan (ND)	Gray (IL)
Brown (CA)	Dowdy	Gray (PA)
Broyhill	Downey	Green
Guarini	McHugh	Schneider
Hall (OH)	McKernan	Schroeder
Hall, Ralph	McKinney	Schuette
Hamilton	McMillan	Schumer
Hammerschmidt	Mica	Seiberling
Hartnett	Mikulski	Sharp
Hatcher	Miller (CA)	Shelby
Hawkins	Miller (WA)	Sikorski
Hefner	Mineta	Sisisky
Heftel	Mitchell	Skeen
Henson	Moakley	Skelton
Henry	Molinari	Slattery
Hertel	Mollohan	Slaughter
Hillis	Montgomery	Smith (FL)
Hopkins	Moody	Smith (NE)
Horton	Moore	Smith (NJ)
Howard	Morrison (CT)	Smith, Robert (OR)
Hoyer	Morrison (WA)	Snowe
Hubbard	Mrazek	Snyder
Huckaby	Murphy	Solarz
Hughes	Murtha	Spence
Hutto	Myers	Spratt
Jacobs	Natcher	St Germain
Jenkins	Neal	Staggers
Johnson	Nelson	Stallings
Jones (NC)	Nichols	Stark
Jones (OK)	Nowak	Stenholm
Jones (TN)	O'Brien	Stokes
Kanjorski	Oakar	Stratton
Kaptur	Oberstar	Studds
Kasich	Obey	Sweeney
Kastenmeier	Olin	Swift
Kennelly	Ortiz	Tauke
Kildee	Owens	Tauzin
Kleczka	Packard	Taylor
Kolbe	Panetta	Thomas (GA)
Kolter	Parris	Torres
Kostmayer	Pease	Torricelli
Kramer	Penny	Towns
LaFalce	Pepper	Traficant
Lantos	Perkins	Traxler
Leach (IA)	Pickle	Udall
Leath (TX)	Price	Valentine
Lehman (FL)	Pursell	Vento
Leland	Quillen	Visclosky
Lent	Rahall	Volkmer
Levin (MI)	Rangel	Watkins
Levine (CA)	Ray	Waxman
Lightfoot	Regula	Weaver
Livingston	Reid	Weber
Lloyd	Richardson	Weiss
Loeffler	Ridge	Wheat
Long	Rinaldo	Whitehurst
Lowry (WA)	Ritter	Whitley
Lujan	Roberts	Whittaker
Luken	Robinson	Whitten
Lundine	Rodino	Williams
MacKay	Roe	Wirth
Manton	Roemer	Wise
Markey	Rogers	Wolf
Martin (NY)	Rose	Wolpe
Martinez	Roth	Wright
Matsui	Roukema	Wyden
Mavroules	Rowland (CT)	Wylie
Mazzoli	Rowland (GA)	Yatron
McCain	Roybal	Young (AK)
McCloskey	Russo	Young (FL)
McCurdy	Sabo	Young (MO)
McDade	Savage	
McGrath	Schaefer	

NAYS—76

Badham	Gregg	Pashayan
Bateman	Gunderson	Petri
Bilirakis	Hansen	Rudd
Broomfield	Hiler	Schaefer
Brown (CO)	Hunter	Schulze
Burton (IN)	Hyde	Sensenbrenner
Carney	Ireland	Shaw
Chappie	Jeffords	Shumway
Cheney	Kemp	Shuster
Coughlin	Lagomarsino	Siljander
Craig	Lewis (CA)	Smith (IA)
Dannemeyer	Lewis (FL)	Smith, Robert (NH)
DeLay	Lott	Solomon
DeWine	Lowery (CA)	Stangeland
Dickinson	Lungren	Strang
Dornan (CA)	Mack	Stump
Dreier	Madigan	Sundquist
Eckert (NY)	Martin (IL)	Swindall
Edwards (OK)	McCandless	Thomas (CA)
Fawell	McCollum	Vander Jagt
Fiedler	Meyers	Vucanovich
Franklin	Michel	Walker
Frenzel	Miller (OH)	Wortley
Gekas	Monson	Yates
Gingrich	Moorhead	
Gradison	Nielson	

NOT VOTING—27

Addabbo	Holt	Savage
Annunzio	Kindness	Smith, Denny (OR)
Campbell	Latta	Synar
Clay	Lehman (CA)	Tallon
Collins	Lipinski	Walgren
Derrick	Madigan	Wilson
Edgar	McEwen	Zschau
Gephardt	Oxley	
Grotberg	Porter	
Hayes	Rostenkowski	

□ 1535

Mr. WORTLEY and Mr. DELAY changed their votes from "yea" to "nay."

Messrs. TORRES, BARTON of Texas, SWEENEY, ARMEY, and Mrs. JOHNSON and Mrs. SCHNEIDER changed their votes from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1545

GENERAL LEAVE

Mr. GRAY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3128.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4151, OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT

Mrs. BURTON of California. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 402 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 402

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4151) to provide for the security of United States diplomatic personnel, facilities, and operations, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of sections 311(a) and 401(b)(1) of the Congressional Budget Act of 1974, as amended (Public Law 93-344, as amended by Public Law 99-177), and with the provisions of clause 2(l)(6) of rule XI, are hereby waived. After general debate, which shall be confined to the bill and to the amendment made in order by this resolution and which shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the bill, it

shall be in order to consider an amendment in the nature of a substitute consisting of the text of the bill H.R. 4418 as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of section 303(a)4) of the Congressional Budget Act of 1974, as amended, clause 7 of rule XVI, and clause 5(a) of rule XXI, are hereby waived. No amendment to the bill or to said substitute shall be in order except the following amendments printed in the Congressional Record of March 17 by, and if offered by, the Member designated, and said amendments shall not be subject to amendment except pro forma amendments for the purpose of debate: (1) the amendments by Representative McCain of Arizona and all points of order against the amendment striking out and reinserting paragraph 5569(d)(2) of title 5 of the United States Code as proposed by section 802(a) of the substitute for failure to comply with the provisions of section 303(a)(4) of the Congressional Budget Act of 1974 as amended are hereby waived; and (2) the amendment by Representative Walker of Pennsylvania. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from California [Mrs. BURTON] is recognized for 1 hour.

Mrs. BURTON of California. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Mississippi [Mr. LOTT], pending which I yield myself such time as I may consume.

(Mrs. BURTON of California asked and was given permission to revise and extend her remarks.)

Mrs. BURTON of California. Mr. Speaker, House Resolution 402 is a modified closed rule providing for the consideration of H.R. 4151, the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986. This rule allows 2 hours of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs.

The rule makes in order an amendment in the nature of a substitute consisting of the text of H.R. 4418, as the original bill for the purpose of amendment under the 5-minute rule. The only amendments which may be offered to the substitute are two by Representative MCCAIN of Arizona and one by Representative WALKER of Pennsylvania printed in the CONGRESSIONAL RECORD of March 17.

Points of order are waived against H.R. 4151 for failure to comply with sections 311(a) and 401(b)(1) of the Congressional Budget Act. Section 311(a) provides that after Congress has completed action on the concurrent resolution on the budget, it shall not be in order to consider legislation which will cause the spending ceiling in the budget resolution to be breached. Since the spending ceiling for fiscal year 1986 has already been breached and the bill as introduced would result in fiscal year 1986 spending, it violates section 311(a). Considering the emergency nature of H.R. 4151, it was the opinion of the Rules Committee that this budget section could be waived, inasmuch as the enormity of the terrorist situation abroad could not be fully calculated prior to adoption of the fiscal year 1986 budget.

Section 401(b)(1) of the Congressional Budget Act prohibits consideration of new entitlement authority effective prior to October 1 of the year in which it is reported. The Rules Committee felt that the import objectives of H.R. 4151 would be needlessly postponed by delaying the effective date of this legislation until the start of the next fiscal year.

Additionally, points of order against consideration of the bill for failure to comply with clause 2(L)(6) of rule XI are waived. The 3-day layover requirement is waived to allow for immediate consideration of this bill.

The rule also waives section 303(a)(4) of the Budget Act against the substitute. This provision prohibits the consideration of legislation providing new entitlement authority to take effect in a fiscal year for which a budget resolution has not yet been adopted. Title 8 of the substitute creates an entitlement to benefit victims of terrorism estimated to cost $1.5 million in fiscal year 1987. This section of the Budget Act is also waived against Representative MCCAIN's amendment. The Rules Committee has been advised that a majority of the members on the Budget Committee has no objection to these budget waivers.

Further, clause 5(a) of rule XXI, which prohibits appropriations in a legislative measure, is waived against the substitute. The substitute made in order by the rule would provide benefits to American victims of terrorism and would provide compensation for members of the Accountability Review Board, who are not Federal employees, for the time they serve on the Board. The Review Board would be charged with the responsibility of examining cases involving terrorist attacks on U.S. personnel or U.S. facilities abroad.

Finally, clause 7 of rule XVI is waived relating to non-germane amendments. This waiver is necessary since the substitute bill was much broader in scope than H.R. 4151 as introduced.

I should also add that the substitute cures the breach of budget authority in H.R. 4151 in the aforementioned waiver of section 311(a) of the Budget Act. Under the rule, one motion to recommit, with or without instructions is provided.

H.R. 4418 addresses the serious problem of inadequate security precautions at U.S. foreign facilities and for U.S. citizens traveling overseas. The escalation of terrorist activities abroad has created an overwhelming need for this protective measure. Necessary authorizations for this purpose are included for fiscal years 1986-90, based on a total estimate of $4.4 billion.

These authorizations would fund various activities to upgrade existing U.S. facilities, to expand Coast Guard duties in U.S. waterways and to create a reward and Counter-Terrorism Protection Fund. Further, H.R. 4418 speaks to the agonizing issue of the victims of terrorism, including hostages, so that certain compensations are authorized for U.S. citizens and their families.

H.R. 4418 also creates a Bureau of Diplomatic Security under the jurisdiction of the State Department with an adjunct Service whose Director is to be chosen from the Senior Foreign Service. The State Department is also directed to collect and maintain information on international terrorists and to coordinate their efforts with those of other government and foreign agencies as part of a terrorist reward fund. Added precautions are also taken in this legislation to minimize the threat of nuclear terrorism.

Mr. Speaker, I reserve the balance of my time.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LOTT asked and was given permission to revise and extend his remarks.)

Mr. LOTT. Mr. Speaker, House Resolution 402 provides for the consideration of H.R. 4151, the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986, subject to 2-hours of general debate and a restrictive amendment process. The rule makes in order an amendment in the nature of a substitute which shall be the text of H.R. 4418 as introduced yesterday. That substitute shall in turn be subject to only three amendments, two by the gentleman from Arizona [Mr. MCCAIN], and one by the gentleman from Pennsylvania [Mr. WALKER], both of which were printed in yesterday's CONGRESSIONAL RECORD.

Mr. Speaker, the rule contains a number of waivers. Sections 311(a) and 401(b)(1) of the Budget Act are waived against the introduced bill. Both of those were necessary because the bill authorizes a new Assistant Secretary of State to head the new Bureau of Diplomatic Security.

Because the introduced bill would have fixed the salary of the new Assistant Secretary at level IV of the Executive Schedule effective in this fiscal year, that is considered an entitlement prohibited under section 401(b)(1) of the Budget Act, and would also breach the section 311(a) aggregate spending ceiling for this year's budget. However, the amendment in the nature of a sub-